



राजपत्र, हिमाचल प्रदेश

हिमाचल प्रदेश राज्यसासन द्वारा प्रकाशित

खण्ड 31]

शिमला, शनिवार, 26 मार्च, 1983/5 चैत्र, 1905

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26 मार्च, 1983/5 चैत्र, 1905 को समाप्त होने वाले सप्ताह में निम्नलिखित विज्ञापितियां 'प्रसाधारण राजपत्र, हिमाचल प्रदेश' में प्रकाशित हुईं:—

विज्ञापित की संख्या	विभाग का नाम	विषय
10 एल०एस०जी०ए०(4) 16/77, दिनांक 1 दिसम्बर, 1982.	स्थानीय स्वशासन विभाग Directorate of State Lotteries	ग्राम तारूवाला, शुभखेड़ा और देवीनगर के कतिपय क्षेत्रों को नगरपालिका पांबटा साहिब में सम्मिलित किये जाने के आदेश (इसके अंग्रेजी रूपान्तर सहित)। Result of 131st Draw of H. P. State Lottery 'Himalayan Weekly' held at Shimla on 22nd March, 1983.

भाग 1—वैधानिक नियमों को छोड़ कर हिमाचल प्रदेश के राज्यपाल और हिमाचल प्रदेश हाई कोर्ट द्वारा अधिसूचनाएं इत्यादि

हिमाचल प्रदेश हाई कोर्ट

NOTIFICATIONS

Shimla-1, the 22nd February, 1983

No. HHC/Admn. 6(23)/74-1-2552.—In exercise of the powers vested in him under Rule 1.26 of the Himachal Pradesh Financial Rules, 1971, Vol. I, the Hon'ble Chief Justice is pleased to declare the Senior Sub-Judge-cum-Chief Judicial Magistrate, Sirmur at Nahar, Himachal Pradesh, as Drawing and Disbursing Officer in respect of the Court of Sub-Judge-cum-Judicial Magistrate, Paonta Sahib, District Sirmur, Himachal Pradesh. The Hon'ble Chief Justice is further pleased to declare the Senior Sub-Judge-cum-Chief Judicial Magistrate, Sirmur at Nahar as Controlling Officer of the aforementioned Court for the purposes of T. A. etc. in respect of Class III and IV establishment under the Head—"214-Administration of Justice" till the Presiding Officer of this Court is posted.

Shimla-171001, the 28th February, 1983

No. HHC/GAZ/3-7/71-2585.—The Hon'ble Chief Justice is pleased to accord *ex-post-facto* sanction to grant 5 days earned leave with effect from 21-2-1983 to 25-2-1983 in favour of Shri B. K. Sharma, Deputy Registrar (Judicial) of this court, with permission to prefix Sunday on 20th February, 1983.

Certified that Shri B. K. Sharma has joined the same post and at the same station from where he proceeded on leave after the expiry of the above period of leave.

Certified further that Shri B. K. Sharma would have continued to hold the post of Deputy Registrar (Judicial), but for his proceeding on leave.

By order,
Sd/-
Registrar.

Shimla-1, the 9th March, 1983

No. HHC/GAZ/14-28/74-2887.—The Hon'ble the Chief Justice and Judges are pleased to grant 41 days earned leave with effect from 21-3-1983 to 30-4-1983, with permission to prefix and suffix Sundays falling on 20-3-83 and 1-5-1983 respectively to Shri Janeshwar Goel, Senior Sub-Judge-cum-Chief Judicial Magistrate, Dharamsala (Himachal Pradesh).

Certified that Shri Janeshwar Goel, would have continued to hold the post of Senior Sub-Judge-cum-Chief Judicial Magistrate but for his proceeding on leave.

Also certified that Shri Janeshwar Goel, will join the same post and also the same station from where he proceeds on leave.

Shimla-1, the 9th March, 1983

No. HHC/GAZ/14-77/76-2770.—The Hon'ble the Chief Justice and Judges are pleased to accord *ex-post-facto* sanction to the grant of 6 days earned leave with effect from 10-1-1983 to 15-1-1983 with permission to prefix gazetted holiday and Sunday falling on 8 and 9-1-83 and to suffix special casual leave *w.e.f.* 16-1-1983 to 30-1-1983 in favour of Shri V. K. Gupta, Sub-Judge-cum-Judicial Magistrate, 1st Class, Dehra.

Certified that Shri V. K. Gupta, would have continued to hold the post of Sub-Judge-cum-Judicial Magistrate but for his proceeding on leave.

Also certified that Shri V. K. Gupta has joined the same post and also the same station from where he proceeded on leave.

Shimla-1, the 11th March, 1983

No. HHC/GAZ/14-76/76-2823.—The Hon'ble the Chief Justice and Judges are pleased to grant extension of 26 days earned leave with effect from 1-3-1983 to 26-3-1983 with permission to suffix Sunday falling on 27-3-1983 in continuation to 32 days earned leave *w.e.f.* 28-1-83 to 28-2-83, sanctioned *vide* notification of even number, dated 10-2-1983 in favour of Shri M. D. Sharma, Sub-Judge-cum-Judicial Magistrate, 1st Class Ghumarwin, (Himachal Pradesh).

Certified that Shri M. D. Sharma, would have continued to hold the post of Sub-Judge-cum-Judicial Magistrate but for his proceeding on leave.

Also certified that Shri M. D. Sharma, will join the same post and also the same station from where he proceeded on leave.

By order,
R. C. MALHOTRA,
Deputy Registrar (Admn.)

Shimla-1, the 14th March, 1983

No. HHC/Admn. 6(18)/74-III-2914.—In continuation to notification of even number, dated 10th February, 1983, the Hon'ble the Chief Justice and Judges are further pleased to specially empower the following Special Judicial Magistrates 2nd Class to authorise detention in the custody of the Police, under section 167 of the Code of Criminal Procedure, 1973, to be exercised by them within the jurisdiction of their respective Sub-Divisions, till Shri B. S. Chauhan, Chief Judicial Magistrate, Bilaspur, or Shri M. D. Sharma, Judicial Magistrate, 1st Class, Ghumarwin return from leave, whichever is earlier:—

1. Shri K. S. Narang, Sub-Divisional Magistrate, Bilaspur.
2. Shri J. R. Verma, Sub Divisional Magistrate, Ghumarwin.

By order,
R. L. KHURANA,
Registrar.

Shimla-1, the 15th March, 1983

No. HHC/GAZ/3-17/71-2927.—The Hon'ble the Chief Justice is pleased to order the cancellation of 6 days earned leave *w.e.f.* 28-2-1983 to 5-3-1983, sanctioned in favour of Shri G. D. Sehgal, Deputy Registrar-cum-Secretary to Hon'ble the Chief Justice of this Court, *vide* notification of even number, dated 13-1-1983, as the officer did not avail the same.

By order,
R. C. MALHOTRA,
Deputy Registrar (Admn.)

हिमाचल प्रदेश सरकार

PERSONNEL (A-1) DEPARTMENT
NOTIFICATIONS

Shimla-2, the 20th December, 1982

No. 1-15/73-DP-Appnt.—The Governor, Himachal Pradesh, is pleased to order that Shri Attar Singh, I.A.S., Commissioner & Secretary (Food & Supplies, Co-operation, Public Relations and PWD) to Government of I.P., shall also function as Secretary to the Government of Himachal Pradesh in the Department of Irrigation and Public Health relieving Smt. C. P. Sujaya, I.A.S., Commissioner-cum-Secretary [Planning, B&S, Imp. of New 20-Point Programme, Science and Technology, Tech. Education, Vocational and Industrial Training and

PWD (Irrigation and Public Health)] of the charge of the Department of Irrigation and Public Health with immediate effect in public interest.

2. This supersedes this department's notification of even number, dated the 17th December, 1982.

Shimla-2, the 23rd December, 1982

No. 1-15/73-DP-Appnt.—The Governor, Himachal Pradesh, is pleased to order that Shri A. K. Goswami, I.A.S., Commissioner (Personnel & GAD) to Government of Himachal Pradesh, shall henceforth function as Secretary to the Government of Himachal Pradesh in the departments of Personnel, General Administration and Secretariat Administration.

Shimla-2, the 23rd December, 1982

No. Karmik (A-I)-B(2)-5/81.—The Governor, Himachal Pradesh is pleased to order reversion of Shri Hira Nand Kashyap, H.P.P.S (Probationer) who was working as Sub-Editor in the H. P. Public Relation Department before his selection to H. P. Police Services, to the Public Relation Department, Himachal Pradesh on his own request with immediate effect.

Shimla-2, the 24th December, 1982

No. PER(A-I)-B(2)-11/79-Pt. file.—The Governor, Himachal Pradesh, is pleased to appoint Shri Jagat Singh Chandel, Substantive Section Officer of H. P. Secretariate to officiate as under Secretary (Non-HPAS) to the Government of Himachal Pradesh Purely on *ad hoc* basis in the pay scale of Rs. 1400—1850 plus special pay of Rs. 200 p. m. Vice Shri Sada Ram Sharma Under Secretary (Agriculture) to the Government of Himachal Pradesh proceeded on leave.

Shimla-2, the 24th December, 1982

No. PER (A-I)-B(1)-13/78.—The Governor, Himachal Pradesh is pleased to order that Sub-Divisional Officer (Civil), Nurpur, District Kangra shall also function as Administrator of the Wazir Ram Singh Memorial College, Dehri, District Kangra with effect from the date of taking over as such.

Shimla-2, the 30th December, 1982

No. Per (A-I)-B(6)-1/81.—The Governor, Himachal Pradesh, is pleased to order that Shri Dharam Pal, Deputy Superintendent of Police, Himachal Armed Police, Shimla, shall hold additional charge of the post of A.D.C. to the Governor, during the leave period of Capt. Brij Bhushan Singh who is proceeding on 30 days leave w.e.f. 31st December, 1982 (forenoon).

Shimla-2, the 30th December, 1982

No. PER (A-I)-B(6)-1/83.—The Governor, Himachal Pradesh is pleased to order the transfer and posting of Shri Ashwani Kumar Kapoor, H.P.A.S., Sub-Divisional Officer (Civil), Dehra Gopipur (District Kangra) as Additional District Magistrate, Solan (District Solan) vice Shrimati Rashima Gupta proceeded on leave, with immediate effect in the public interest.

2. The Governor, is further pleased to order that Shri T. C. Janartha, HPAS, S. D. O. (C), Kandaghat (District Solan) shall hold the charge of A.D.M. Solan in addition to his own duties till Shri Ashwani Kumar Kapoor joins as such.

Shimla-2, the 1st January, 1983

No. PER (A-I)-B(2)-11/79 Pt. file.—The Governor, Himachal Pradesh is pleased to order that Shri Jagat

Singh Chandel, Substantive Section Officer, H.P. Secretariate who was appointed to officiate as under Secretary (Non-HPAS) to the Government of H. P. purely on temporary basis vice Shri Sada Ram Sharma vide this Department notification of even number, dated the 24th December, 1982, shall function as Under Secretary (Welfare, Transport, Language, Art and Culture) to the Government of H. P. with effect from 1-1-1983 vice Shri Devi Singh Negi retiring on 31st December, 1982 (A.N.).

2. The Governor is further pleased to order that Shri Chandel shall also hold the charge of Under Secretary (Agriculture) to the Government of Himachal Pradesh in addition to his own duties till Shri Sada Ram returns from leave.

Shimla-2, the 1st January, 1983

No. PER (A-I)-B (6)-1/81.—The Governor, Himachal Pradesh is pleased to order the transfer and posting of Shri A. R. Sharma, Leave Reserve Officer to Deputy Commissioner, Kangra at Dharamsala as Leave Reserve Officer to Deputy Commissioner. Una with immediate effect in public interest.

Shimla-2, the 1st January, 1983

No. PER (A-I)-B(1)-3/76-Vol. II.—The Governor, Himachal Pradesh, is pleased to issue the following orders with immediate effect in the public interest:—

- (i) The headquarters of Project Officer (ITDP) at Chamba are shifted to Bharmour (District Chamba);
- (ii) Shri J. S. Ramola, HPAS, Project Officer (ITDP) Chamba, is transferred and posted as Land Acquisition Officer, (PWD), Hamirpur (Vacant Post); and
- (iii) The Sub-Divisional Officer (Civil), Bharmour, District Chamba shall hold the charge of the post of Project Officer (ITDP) Bharmour in addition to his own duties till further orders.

Shimla-2, the 3rd January, 1983

No. 1-15/73-DP-Appnt.—The Governor, Himachal Pradesh, is pleased to order the posting of Shri Ashok Thakur, I.A.S., as Deputy Secretary (Forests and Soil Conservation) to Government of Himachal Pradesh, on his return from leave, relieving Shri Hari Singh, I.A.S., Director, R.I.D. & Panchayati Raj, Himachal Pradesh of the additional charge of the post of Joint Secretary (Forests & Soil Conservation).

Shimla-2, the 3rd January, 1983

No. 10-9/73-DP-Appnt.—In exercise of the powers conferred by sub-section (i) of section 20 of the Code of Criminal Procedure, 1973, the Governor, Himachal Pradesh is pleased to appoint the following Naib-Tehsildars to be the Executive Magistrates with all the powers of an Executive Magistrate under the said Code to be exercised within the local limits of their respective jurisdiction as shown against their names, with immediate effect:—

1. Shri Inder Singh, Udaipur (District Lahaul & Spiti).
2. Shri Thakur Dass, Keylong (District Lahaul & Spiti).

Sd/-
Deputy Secretary.

Shimla-2, the 4th January, 1983

No. PER (A-I)-B(2)-6/82.—In continuation of this Department's Notification No. 3-4/74-DP-Appnt., dated

the 13th July, 1982, the Governor, Himachal Pradesh, is pleased to continue the *ad hoc* appointment of Dr. V.L. Mehta as Director of Animal Husbandry, Himachal Pradesh in the pay scale of Rs. 2300-2500 for a further period of six months from 12th October, 1982 to 12th April, 1983 or till the post is filled on regular basis, whichever is earlier.

K. C. PANDEYA,
Chief Secretary

Shimla-2, the 4th January, 1983

No. PER (A-1)-B (15)-2/79-Pt. file.—In Consultation with the H. P. Public Service Commission, the Governor, Himachal Pradesh, is pleased to appoint Shri J. Bhandoo Block Development Officer (presently posted as P. O. Solan) to officiate in Himachal Pradesh. Administrative Service purely on temporary basis with effect from 28th December, 1981 and to post him as Leave Reserve Officer to Deputy Commissioner, Solan.

Shimla-2, the 4th January, 1983

No. 3-1/68-DP (Apptt.) Vol. II.—The Governor, Himachal Pradesh is pleased to order that Shri P. S. Verma, Leave Reserve Officer to D. C. Solan shall hold the charge of LAO (PWD), Solan during leave period of Shri G. C. Khatana, H.A.S.

Shimla-2, the 6th January, 1983

No. 10-4/73-DP-Apptt.—In exercise of the powers conferred by sub-section (1) of section 20 of the Code of Criminal Procedure, 1973, the Governor, Himachal Pradesh, is pleased to appoint Shri Sadhu Ram Tehsildar (Recovery) at Hamirpur, to be the Executive Magistrate with all the powers of an Executive Magistrate under the said Code to be exercised within the local limits of District Hamirpur, with immediate effect.

Sd/-
Deputy Secretary.

AGRICULTURE DEPARTMENT

NOTIFICATION

Shimla-2, the 29th November, 1982

No. Agr. B-3(4)/81.—The Governor, Himachal Pradesh, in consultation with the Himachal Pradesh Public Service Commission, is pleased to order the extension of *ad hoc* appointment of Shri Shridhar Thakur, Superintendent Grade-I, Director of Agriculture, Himachal Pradesh for further period with effect from 1-10-1982 to 31-12-1982 or till the post is filled on regular basis, whichever is earlier.

2. This *ad hoc* appointment will not confer any right on Shri Thakur with regard to his regular promotion or seniority in the grade.

By order,
B. C. NEGI,
Secretary.

EXCISE & TAXATION DEPARTMENT

NOTIFICATIONS

Shimla-2, the 15th December, 1982

No. EXN. B. (1)-1/77.—The Governor, Himachal Pradesh is pleased to order the transfer of the following Officers of this Department in the public interest, with immediate effect:—

S. No.	Name and designation of the officer	From	To
1.	Shri Bikram Singh Asstt. Excise & Taxation Commissioner (<i>ad hoc</i>).	Chamba	Kangra

- Shri S.D. Chauhan, Kengra Chamba
Excise & Taxation Officer.

Both the officers will move simultaneously.

Shimla-2, the 15th December, 1982

No. EXN. B(1)-1/77.—The Governor, Himachal Pradesh is pleased to promote the following Excise and Taxation Officers, as Assistant Excise and Taxation Commissioners (Class-II Gazetted) with headquarters shown against each, in the pay scale of Rs. 1200—1850 from the date of joining as such, on *ad hoc* basis for a period not exceeding six months or till the posts are filled in on regular basis, whichever is earlier:—

- Shri Nank Chand Kondal, with hqr. at Mandi
- Shri Bikram Singh, with Hqr. at Kangra
- Shri R. S. Dutta, with Hqr. at Shimla.

The promotion, being purely temporary, shall not confer any right whatsoever towards seniority or continuance as such.

CRRIGENDUM

Shimla-2, the 16th December, 1982

No. EXN. B(1)-1/77.—For the words "with hqr. at Kangra" appearing in this Department notification of even number, dated, 15th December, 1982 against the name of Shri Bikram Singh, the "words" Kangra, with hqr. at Dharamsala may please be substituted.

NOTIFICATION

Shimla-171002, the 21st December, 1982

No. 9-1/70-E and T-Part-II.—In continuation of this Department notification of even number dated 25-7-82, the Governor of Himachal Pradesh, is pleased to extend the terms of State Liaison Committee/District Liaison Committee upto 31st December, 1983. The functions of the Committee will be the same as have been notified vide notification of even number dated 18th May, 1972.

M. S. MUKHERJEE,
Financial Commissioner-cum-Secretary.

FOOD AND SUPPLIES DEPARTMENT

NOTIFICATION

Shimla-2, the 23rd December, 1982

No. FDS-C(5)-1/80.—In continuation of this Department notification of even number, dated the 6th September, 1982, the Governor, Himachal Pradesh is pleased to delete the name of Shri G. C. Totu, Ex-M.P. appearing at Sr. No. 2 of the said notification, who was appointed as non-official Director of the Board of Directors of the H.P. State Civil Supplies Corporation Ltd. with immediate effect.

By order,
ATTAR SINGH,
Commissioner-cum-Secretary.

FINANCE (REGULATION) DEPARTMENT

NOTIFICATIONS

Shimla-171002, the 2nd December, 1982

No. Fin (C)-A(4)-1/82.—The Governor, Himachal Pradesh is pleased to order that the composition of High Powered Committee constituted by the Government vide this Department notification No. Fin (C)-B(7)-21/77, dated the 23rd June, 1982, to go in to the demands of employees in respect of compensatory allowance etc. shall be as under:—

- Shri Shiv Kumar, Industries Minister .. Chairman.

2. Shri Devi Singh, Forest Minister .. Member.
3. Shri Vijandra Singh, Chief Parliamentary Secretary .. Member.

S. M. KANWAR,
Commissioner-cum-Secretary.

Shimla-171002, the 3rd December, 1982

No. Fin. (C)-A (2)-1/82.—The Governor, Himachal Pradesh is pleased to order that the District Panchayat Officer, Kinnaur district, at Kalpa shall function as Disbursing Officer under the following heads of account till the Controller, Food and Supplies, Kinnaur, returns from leave:—

1. 288—Social Security and Welfare—A—Civil Supplies—
 - (a) Direction and Administration—
 - (a) (ii) Distt. Offices (Non-plan).
2. 309—Food—
 - (a) Direction and Administration—
 - (a) (i) Price Stabilisation Scheme (Plan and Non-Plan)
3. 509—Capital Outlay on Food.

2. The District Panchayat Officer, Kalpa, shall also function as Controlling Officer in respect of Class III and IV staff of the Food and Supplies Department posted in District Kinnaur for the purposes of T. A. bills etc. during the aforesaid period.

NARAIN SINGH,
Deputy Secretary.

GENERAL ADMINISTRATION DEPARTMENT

ADDENDUM

Shimla-2, the 14th January, 1983

No. GAD(A)F(4)15/81.—In this Department notification of even number, dated the 23rd December, 1982 re-constituting in Rajya Sainik Board, Himachal Pradesh, the name of the following persons may also be added as Non-official Members of the said Board :—

1. Smt. Vidya Stokes, M.L.A.
Vice-Chairman H.P. Horticultural Produce Marketing and Processing Corporation, Shimla.
2. Major Brij Lal (Retd.), M.L.A.,
Village Kajlot, P.O. Dharamsala Cantt, Distt. Kangra (H.P.).

K.C. PANDEYA,
Chief Secretary.

HORTICULTURE DEPARTMENT

NOTIFICATIONS

Shimla-2, the 15th December, 1982

No. HTC-B(2)1/76.—The Governor, Himachal Pradesh is pleased to allot the post of Asstt. Fruit Technologist created vide this Department No. Udyan-Kha (1) 10/78, dated 27-2-1982 to Fruit Canning Unit Shamshi, (Kulu)

and to restore the post of Procurement & Sales Officer, from this Unit to the headquarters at Shimla with effect from 1-12-1982.

The Governor, Himachal Pradesh is further pleased to order the following transfer and posting in the public interest with immediate effect:—

Sl. No.	Name	From	To
1.	Shri M. C. Kaushik	P. & S.O. Shamshi, (Kulu).	A. F. T. Shamshi (Kulu).
2.	Shri R. C. Katiyar	A.F.T. Shimla	P.&S.O. Shimla
3.	Shri Navbahar Singh	A.F.T. Shimla	A.F.T.F.C.U. Navbahar (Shimla)vice Shri R. C. Katiyar.

Shimla-2, the 16th December, 1982

No. 23-119/69-Hort. Sectt.—The Governor, Himachal Pradesh is pleased to order the retirement of Shri N. C. Khosla, Deputy Director of Horticulture from Government Service with effect from 31-1-1983 (A.N.) on superannuation.

B. C. NEGI,
Secretary.

INDUSTRIES DEPARTMENT

NOTIFICATION

Shimla-171002, the 8th December, 1982

No. Ind-1 (A) 4-12/78-II.—The Governor, Himachal Pradesh, is pleased to order the transfer of the shares of the following Government Companies held in official capacity by the under mentioned officers to their successors in office, shown against each, with immediate effect:—

HIMACHAL WOOL PROCESSORS LTD./HIMACHAL WORSTED MILLS LIMITED, NALAGARH

Name of the Existing Shareholders	Name of the Shareholders to whom transferred
1. Mrs. Harinder Thind, Former Deputy Secretary (Industries).	Shri S. S. Negi, Joint Secretary (Industries).
2. Shri M. S. Mukherjee, Secretary (Planning).	Mrs. C. P. Sujaya, Secretary (Planning).

HIMALAYA FERTILIZERS LIMITED (NALAGARH)

1. Shri P. P. Srivastava, Former Financial Commissioner (Rev.).	Shri M. S. Mukherjee, Financial Commissioner (Rev.).
2. Mrs. Usha Rani Mittoo, former Deputy Secretary (Ind.).	Shri S. S. Negi, Joint Secretary (Industries).

2. This issues with the prior concurrence of the Finance Department obtained vide their U. O. No. 2142-F/82-Fin (W&M), dated the 19th November, 1982.

By order,
R. K. ANAND,
Commissioner-cum-Secretary.

LABOUR, EMPLOYMENT AND PRINTING DEPARTMENT

NOTIFICATIONS

Shimla-2, the 5th February, 1983

No. LEP (LET) 1-2 (E) 1/77 —In view of the difficulties being experienced by the employment seekers of the undermentioned places in dealing with the employment Exchanges concerned, the Governor, Himachal Pradesh

is pleased to upgrade the following Rural Manpower Units and Block Employment Bureaux to the status of Sub-Offices, Employment Exchange *w. e. f.* 1-3-83. In order to fix the areas to suit the convenience of the applicants/public the revised jurisdictions are given below against each Sub-Office Employment Exchange.

S. No.	Name of Sub-Office, Employment Exchange	Jurisdiction
1	2	3
1.	Sub-Office, Employment Exchange, Anni	Revenue areas of Anni & Nirmand Tehsils.
2.	Sub-Office, Employment Exchange, Chopal	Revenue areas of Chopal Tehsil.
3.	Sub-Office, Employment Exchange, Jubbal	Revenue areas of Jubbal Tehsil.
4.	Sub-Office, Employment Exchange, Chawari	Revenue areas of Bhattiyat Tehsil excluding urban areas of Dalhousie, Bakloh and Baloon.
5.	Sub-Office, Employment Exchange, Kasauli	Revenue areas of Kasauli Tehsil.
6.	Sub-Office, Employment Exchange, Nalagarh	Revenue areas of Nalagarh Tehsil.
7.	Sub-Office, Employment Exchange, Paonta-Sahib	Revenue areas of Paonta Sahib Tehsil.
8.	Sub-Office, Employment Exchange, Rajgarh	Revenue areas of Rajgarh Tehsil.
9.	Sub-Office, Employment Exchange, Nichar	Revenue areas of Nichar Tehsil.
10.	Sub-Office, Employment Exchange, Pooh	Revenue areas of Pooh Sub-Division.
11.	Sub-Office, Employment Exchange, Udaipur	Revenue areas of Udaipur Sub-Tehsil.
12.	Sub-Office, Employment Exchange, Sundernagar	Revenue areas of Sundernagar Tehsil.
13.	Sub-Office, Employment Exchange, Lambagao	Revenue areas of Lambagraun C. D. Block B.
14.	Sub-Office, Employment Exchange, Nagrota Surian.	Revenue areas of Nagrota Surian Block excluding Patwar circle of Sthna, Anoh Balla Dhamela and Ther.
15.	Sub-Office, Employment Exchange, Sarkaghat	Revenue areas of Sarkaghat Tehsil.
16.	Sub-Office, Employment Exchange, Suni	Revenue areas of Suni C. D. Block.
17.	Sub-Office, Employment Exchange, Baijnath	Revenue areas of Baijnath C.D. Block.

By order,
Sd/-
Secretary.

शिमला-2, 8 फरवरी, 1983

शिमला-171002, 8 फरवरी, 1983

सं 0 8-15/80-अम-II—राज्यपाल, हिमाचल प्रदेश को यह प्रतीत होता है कि सर्व श्री चरण दास भन्ना, विद्या प्रकाश, देवी शरण तथा राज कुमार भूतपूर्व कर्मचारी सुन्दर सिनेमा सोलन तथा प्रबन्धकमण सुन्दर सिनेमा मानंद (हिमाचल प्रदेश) के मध्य नीचे दिए गए विषय पर औद्योगिक विवाद है और औद्योगिक विवाद अधिनियम, 1947 की धारा 12 (4) के अन्तर्गत समझौता अधिकारी द्वारा प्रस्तुत की गई रिपोर्ट पर विचार करने के पश्चात राज्यपाल, हिमाचल प्रदेश सुनिश्चित है कि यह मामला श्रम न्यायालय को भेज देने योग्य है।

अतः औद्योगिक विवाद अधिनियम, 1947 (1947 का अधिनियम सं 0 14) की धारा 12 की उप-धारा (5) के अन्तर्गत प्रदत्त शक्तियों का प्रयोग करते हुए राज्यपाल हिमाचल प्रदेश एतद्वारा इस मामले को औद्योगिक विवाद अधिनियम 1947 की धारा 7 के अन्तर्गत निमित्त श्रम न्यायालय को नीचे व्याख्या किए गए विषय पर अपना निर्णय देने के लिए भेजते हैं;

"क्या सर्वश्री चरण दास विद्या प्रकाश, देवी शरण तथा राज कुमार भूतपूर्व कर्मचारी सुन्दर सिनेमा सोलन को नौकरी से निकालना सही और न्यायसंगत है यदि नहीं तो सर्वश्री चरण दास, देवी शरण विद्या प्रकाश तथा राज कुमार को किस सहायता और निश्चित क्षतिपूर्ति धनराशि के पात्र है"।

सं 0 8-15/80-अम-II—राज्यपाल, हिमाचल प्रदेश को यह प्रतीत होता है कि श्री बी० के० सिंह भूतपूर्व ओपरेटर सं 0 गैवरियल आफ इन्डिया, परवाणु तथा प्रबन्धकमण गैवरियल आफ इन्डिया परवाणु के मध्य नीचे दिए गए विषय पर औद्योगिक विवाद है और औद्योगिक विवाद अधिनियम, 1947 की धारा 12(4) के अन्तर्गत समझौता अधिकारी द्वारा प्रस्तुत की गई रिपोर्ट पर विचार करने के पश्चात राज्यपाल, हिमाचल प्रदेश सुनिश्चित है कि यह मामला श्रम न्यायालय को भेज देने योग्य है;

अतः औद्योगिक विवाद अधिनियम, 1947 (1947 का अधिनियम सं 0 14) की धारा 12 की उप-धारा (5) के अन्तर्गत प्रदत्त शक्तियों का प्रयोग करते हुए राज्यपाल, हिमाचल प्रदेश एतद्वारा इस मामले को औद्योगिक विवाद अधिनियम 1947 की धारा 7 के अन्तर्गत निमित्त श्रम न्यायालय को नीचे व्याख्या किए गए विषय पर अपना निर्णय देने के लिए भेजते हैं;

"क्या श्री बी० के० सिंह भूतपूर्व ओपरेटर सं 0 गैवरियल आफ इन्डिया परवाणु को नौकरी से निकालना सही और न्याय संगत है यदि नहीं तो श्री बी० के० सिंह किस सहायता और निश्चित क्षतिपूर्ति धनराशि का पात्र है"।

आज्ञानुसार,
हस्ताक्षरित,
सचिव।

बहुदेशीय परियोजना एवं विद्युत विभाग

अधिमूचना

शिमला-171002, 19 जनवरी, 1983

संख्या विद्युत-छ (5)-33/81.—रामपुर तहसील में कोटला से कुन्ही खड्ड तक सड़क के निर्माण के लिए भूमि अर्जित करने हेतु हिमाचल प्रदेश राज्य विद्युत बोर्ड और हिमाचल प्रदेश सरकार की ओर से सचिव (शक्ति) हिमाचल प्रदेश सरकार के मध्य संलग्न इस्तेमाल नामा सर्वेसाधारण के सूचनाएँ, भू-अर्जन अधिनियम, 1894 की धारा 42 के अंतर्गत राजपत्र, हिमाचल प्रदेश में प्रकाशित किया जाता है।

राम चन्द्र कोशल,
अवर सचिव।

AGREEMENT is made on the 16th day of January, 1983 BETWEEN the Himachal Pradesh State Electricity Board having its headquarters at Shimla (as statutory body incorporated under the provision of the Electricity (Supply) Act, 1948 (Act No. LIV of 1948) through Shri K. C. Mahajan, Chairman, Himachal Pradesh State Electricity Board (hereinafter called "the Company" which expression shall, unless the context otherwise required, include his successors in office and assignees) of the one part and the Governor of Himachal Pradesh, through the Secretary (M.P.P. & Power), Government of Himachal Pradesh (hereinafter called "the Governor" which expression shall, unless the context otherwise required, include his successors in office and assignees) of the other part;

WHEREAS for the purpose of the construction of Kotla to Kunni Road, District Shimla, Tehsil Rampur, Himachal Pradesh the company has applied to the Government of Himachal Pradesh for the acquisition under the provisions of the Land Acquisition Act, 1894, for the piece of land containing an area of 0.36-87 hect., as per detail noted in the specification below situated in the villages Manjhaon, Tehsil Rampur, District Shimla, Himachal Pradesh and more particularly described in the schedule hereto and delineated in the plan hereunto annexed;

AND WHEREAS the said Government of Himachal Pradesh being satisfied by an enquiry held under section 40 of the said Act that the proposed acquisition is needed for the aforesaid purpose and that the said work is likely to prove useful to public, has consented to acquire on behalf of the company, the piece of land hereinbefore described;

AND WHEREAS the said Government of Himachal Pradesh has required the company under the provision of Section 41 of the above-mentioned Act to enter into the Agreement with the Governor hereinafter contained;

Now this indenture witnesseth that it is hereby agreed and declared as follows:—

1. On demand the company shall and will pay to the said Government all and every amount in lieu of the said land tendered, paid or awarded or to be tendered, paid or awarded by the Collector under the Land Acquisition Act, 1894, or by court or courts to which an appeal from the award of the said court may be preferred and all costs, charges and expenses of the proceeding in the aforesaid courts, or otherwise incidental of the proposed acquisition or payable in respect thereof under the provision of the said Act.
2. On demand made by the said Collector the obligations of the company under the last preceding clause not being thereby, limited, the company shall and will deposit with the said Collector such sum or sums of money as in his discretion. The said Collector may in anticipation estimate to be necessary for the purpose mentioned in the last preceding clause.

3. On payment by the company of all demands under the foregoing first clause, or in the discretion of the said Government (on deposit by the company of all estimated amount as provided in the second clause), but not before possession shall have been taken under the provisions of the above-mentioned Act, the Government shall make over possession of the said land to the company and shall execute and do all such acts and deeds as may be necessary and proper for effectually vesting the same in the company.
4. The said land shall be held by the company for the purpose of such Kotla-Kunni Road, as is here-in-before mentioned and without the sanction in writing of the said Government first had and obtained for no other purpose whatsoever.
5. The construction of said Kotla-Kunni Road, shall be completed (and fully equipped in all respects ready for use) within minimum period of 2 years from the date on which possession on the said land shall have been given to the company.
6. Should the said Board not be completed (and fully equipped in all respect ready for use) within the period stated in the last preceding clause or within such further period as in its discretion may be prescribed or allowed by the said Government) or should the said land at any time thereafter cease for a period of six consecutive months to be held and used or cease to be required for the purpose or purposes provided for in the foregoing fourth clause then and in any such case, the said Government may summarily re-enter upon and take possession of the said land together with all land/road thereafter whether such land/road where erected before or after the transfer of the land/road to the company, and thereupon the interest of the company in the said land/road shall absolutely cease and determine.
7. On taking such possession the said Government may sell or otherwise deal with the said land/road as it may think proper:—
 - (i) Should the said Government sell the land/road the said Government after deducting the expenses incurred in connection with the said taking of possession and with such sale shall pay the proceeds to the company.
 - (ii) Should the said Government decide not to sell the land/and read line the said Government shall retain the said land and road thereon in which case the Government shall repay to the company the market value as on the day of re-entry of all the land/road erected by the company and all sums received from the company in respect of all and every amount as provided in the foregoing first clause (less the statutory allowance of 15 per cent and less any amount received on account of trees and buildings which are not in existence at the time of resumption) but will not repay any sums paid and received on account of costs, charges and expenses of acquisition.
 - (iii) Should the said Government decide to sell the land only upon such sale, the Governor shall after deducting the expenses of taking possession and selling, pay the balance of the proceeds of the sale to the company, together with the sum received from the company in respect of the amount for the land (less the statutory allowance of 15 per cent and less any amount received from the company on account of trees and buildings etc. which are not in existence at the time of resumption), but will not repay any sum paid and received on account of costs, charges and expenses of acquisition.

8. Should any dispute of difference arise touching or concerning the subject matter of this Agreement or any covenant clause or thing hereincontained, the same shall be referred to the Secretary (Law) to the Government, and opinion and the decision of the aforesaid Secretary (Law) upon such dispute or difference shall be final and conclusive and binding on the parties thereto.

IN WITNESS WHEREOF Shri Kailash Chand Mahajan, Chairman, Himachal Pradesh State Electricity Board for and on behalf of the Himachal Pradesh State Electricity Board and Shri Kailash Chand Mahajan, Secretary (M.P.P. & Power) to Himachal Pradesh Government, Shimla-2 for and on behalf of the Governor of Himachal Pradesh, have hereunto set their respective hands and seal on the day and year first above written.

Sd/-
Chairman,
State Electricity Board.

WITNESSES

1. W. F. DESOUZA,
Member (Electrical),
H.P.S.E.B. Shimla-4.

2. K. C. GUPTA,
Secretary,
H.P.S.E.B. Shimla-4.

WITNESSES

- हस्ताक्षरित/-
1. प्रवर मन्त्रि (शक्ति)
हिमाचल प्रदेश सरकार,
शिमला-171002. Signed, sealed and delivered
by.....

- हस्ताक्षरित/-
2. अनुभाग अधिकारी
विद्युत शाखा,
हिमाचल प्रदेश सरकार,
शिमला-2. Sd/-
Secretary (M.P.P. & Power)
to the Government of Himachal
Pradesh on behalf of Governor
of Himachal Pradesh.

All that piece and parcel of land situated in village Manjhgaon containing an area of 0-36-87 hect. detailed as under:—

SPECIFICATION

District: SHIMLA		Tehsil: RAMPUR
Village.	Khasra No.	Area in Hect.
MANJHGAON	1553/1	0 36 87

REVENUE DEPARTMENT

NOTIFICATION

Shimla-171002, the 4th March, 1983

No. Rev.-A (B) 3-25/80.—The Governor, Himachal Pradesh, is pleased to order that Shri Rajmal Tehsildar, Kangra, District Kangra shall retire from Government service on attaining the age of superannuation with effect from 30-11-1983 (A.N.).

Sd/-
Secretary.

HIMACHAL PRADESH FIFTH VIDHAN SABHA

NOTIFICATION

Shimla-171004, the 14th March, 1983

No. 1-26/82-VS.—The Speaker, Himachal Pradesh Legislative Assembly has nominated the following Members on the Panel of Presiding Members for the year 1983:—

1. Shri Kaul Singh Thakur
2. Shri Jagdev Chand
3. Shri Ranjit Singh
4. Mrs. Vidya Stokes.

V. VERMA,
Secretary.

भाग 2—बैधानिक नियमों को छोड़ कर विभिन्न विभागों के अध्यक्षों और जिला मैजिस्ट्रेटों द्वारा अधिसूचनाएं इत्यादि

कार्यालय उपायुक्त, चम्बा जिला, चम्बा,

कार्यालय आदेश

चम्बा, 5 फरवरी, 1983

आदेश संख्या पी0सी0एच-सी0एच0एम-ए0 (16)-5/81-4733-37,
दिनांक 1-10-82 को रद्द करता हूँ।

टी0 आर0 शर्मा,
उपायुक्त चम्बा।

OFFICE OF THE DISTRICT MAGISTRATE, KANGRA AT DHARAMSALA NOTIFICATION

Dharamsala, the 9th March, 1983

No. 3576-3645.—In exercise of the powers conferred upon me under clause () (e) of the Himachal Pradesh Hoarding and Profiteering Prevention Order, 1977 as amended vide Himachal Pradesh Government Notification No. FDS-A-3 (2)/77, dated 30-10-1980, I, Dev Swaroop, District Magistrate, Kangra at Dharamsala hereby fix the maximum retailsale rate inclusive of all taxes in respect of Kutcha, Boiled and Sweetened Milk for all the Private Dealers in District Kangra:—

1. Kutcha Milk Rs. 2.80 per ltr.
2. Boiled Milk Rs. 3.00 „ „
3. Sweetened Milk Rs. 3.50 „ „

This Notification will remain in force for a period of one month from the date of issue.

DEV SWAROOP,
District Magistrate,
Kangra at Dharamsala.

संख्या-पी0सी0एच-सी0एच0एम-ए0 (16)-5/81.—क्योंकि श्री सुरेन्द्र सिंह, निम्नलिखित प्रधान, ग्राम पंचायत, टुण्डी, विकास खण्ड भटियात के विरुद्ध आरोपों की जांच हेतु धारा 54(2) हिमाचल प्रदेश पंचायती राज अधिनियम, 1968 के अधीन प्रवर मन्त्रि (पंचायत), हिमाचल प्रदेश सरकार के कार्यालय आदेश संख्या पी0सी0एच-एच0एम0 (5) 120/77, दिनांक 24-1-83 के अन्तर्गत जिला पंचायत अधिकारी चम्बा की जांच अधिकारी नियुक्त किया गया है और खण्ड विकास अधिकारी भटियात ने सूचित किया है कि श्री सुरेन्द्र सिंह के द्वारा दुग्धयोग की गई पंचायत निधि का हिसाब ग्राम पंचायत टुण्डी को दे दिया गया है तथा नग्न जमा पंचायत हिमाचल महकारी बैंक मिहन्ता की जा चुकी है;

और चूंकि श्री सुरेन्द्र सिंह निम्नलिखित प्रधान ने निवेदन किया है कि उन के निम्नलिखित आदेश रद्द किए जावें और उन्हें प्रधान पद पर रखने दिया जावे;

अतः मैं, टी0 आर0 शर्मा, उपायुक्त चम्बा, जिला चम्बा, उपरोक्त स्थिति के अन्तर्गत श्री सुरेन्द्र सिंह प्रधान ग्राम पंचायत टुण्डी के निम्नलिखित

OFFICE OF THE DISTRICT MAGISTRAT, KINNAUR
AT KALPA, H. P.

NOTIFICATION

Kalpa, the 10th March, 1983

No. FDS/KNR (E) 12-1/82-II-1451-950.—In continuation of this office notification No. FDS/KNR (E)

12-1/82-II-662-711, dated 8-2-83, I, Vivek Srivastava, I.A.S., District Magistrate, Kinnaur at Kalpa do hereby order that the sale rates as fixed vide notification under reference will remain operative for the next two months.

VIVEK SRIVASTAVA,
District Magistrate,
Kinnaur at Kalpa.

OFFICE OF THE DISTRICT MAGISTRATE, SIRMOUR DISTRICT, NAHAN

NOTIFICATION

Nahan, the 8th March, 1983

No. FDS-2-8/82.—In supersession of all previous notifications and in exercise of the powers conferred upon me under clause 3 of the Kerosene Oil (Fixation of Ceiling Prices) Order, 1970, I, R. N. Bansal, District Magistrate, Sirmour district, Nahan do hereby fix the wholesale and retailsale rates of Superior Kerosene Oil at places mentioned below, with immediate effect:—

S. No. Name of the Station

Wholesale rate excluding
S. T. and Surcharge
(per kilolitre)Retailsale rate including
S. T. and Surcharge
(per litre)

Subsidized

Non-subsidized

Subsidized

Non-subsidized

1	2	3	4	5	6
1.	Nahan	1785-74	3087-82	2-00	3-40
2.	Kala-Amb	1838-24	3140-32	2-02	3-42
3.	Jemta	1833-24	3135-32	2-02	3-42
4.	Banethi	1835-74	3137-82	2-02	3-42
5.	Majra	1825-74	3127-82	2-01	3-41
6.	Paonta	1825-74	3127-82	2-01	3-41
7.	Sataun	1860-74	3162-82	2-05	3-45
8.	Kamrau	1904-49	3206-57	2-09	3-50
9.	Kafota	1935-74	3237-82	2-13	3-53
10.	Timbi	1965-74	3267-82	2-16	3-56
11.	Shillai	1995-74	3297-82	2-19	3-59
12.	Sarahan	1850-74	3152-82	2-04	3-44
13.	Naina Tikkar	1911-74	3213-82	2-13	3-50
14.	Dadahu	1835-74	3137-82	2-02	3-42
15.	Sangrah	1918-24	3220-32	2-11	3-51
16.	Andheri	1928-24	3230-32	2-12	3-52
17.	Narag	1946-74	3248-82	2-14	3-54
18.	Ronhaut	2065-74	3367-82	2-27	3-67
19.	Rajgarh	1849-05	3149-05	2-03	3-43
20.	Nohra	1908-07	3208-07	2-10	3-50
21.	Haripurdhar	1967-63	3267-63	2-16	3-56

NOTE:

1. The Kerosene Oil will not be stored at any premises other than the place of business.
2. Every dealer shall prominently display the price of Kerosene Oil along with his daily stock position on the board to be maintained for the purpose at the entrance of the place of sale of Kerosene Oil and also the quantity of Kerosene Oil held by him. The dealer shall maintain true accounts of sale and purchase of Kerosene Oil. The wholesaler will issue cash memo for each sale.
3. Any dealer selling or attempting to sell or abating the sale of Kerosene Oil at the higher prices than those specified above or refusing to sell the Kerosene Oil without sufficient reasons shall be punishable under section 7 of the Essential Commodities Act, 1955.
4. The Kerosene Oil dealers of places other than those mentioned in this schedule shall add actual transportation charges from the nearest specified point to arrive at the sale rate.

R. N. BANSAL,
District Magistrate, Sirmour.OFFICE OF THE ASSISTANT REGISTRAR,
CO-OPERATIVE SOCIETIES, CHAMBA,
DISTRICT CHAMBA, H. P.

OFFICE ORDER

Chamba, the 1st December, 1982

No. Co-op.-9717-21.—Whereas the working of the Baira Siul Hydel Project Co-operative M. P. Society,

Ltd., Surgani is stagnant for considerable period and the members of the society have shown no interest in running the institution despite of persuasion and instructions from the departmental staff.

Whereas the Inspector Co-operative Societies, Salooni has recommended that there are no chances of revival of the working of the society.

Now, therefore, I, Ram Gopal Sharma, Assistant Registrar, Co-operative Societies, Chamba district, Chamba

exercising the powers of the Registrar Co-operative Societies delegated to me under section 78 of the Himachal Pradesh Co-operative Societies Act, 1963 (Act, No. 3 of 1969) do hereby order to put the Baira Sui Hydel Project Co-operative M. P. Society, Ltd., Surgani under liquidation.

R. G. SHARMA,
Assistant Registrar.

OFFICE OF THE REGISTRAR, CO-OPERATIVE SOCIETIES (PRY.), KINNAUR DISTRICT, KALPA

OFFICE ORDER

Kalpa, the 21st February, 1983

No. Co-op-5-136 61-II-397.—In exercise of the powers conferred on me under section 78 of the Himachal Pradesh Co-operative Societies Act, 1968 (Act No. 3 of 1969) read with notification No. 5-6/69-Co-op. (8)-III, dated 4th June, 1971, and under rules 117 of the Himachal Pradesh Co-operative Societies Rules, 1971, I, G.C. Suhail Registrar, Co-operative Societies (Pry.), Kinnaur district, Kalpa extend the period of liquidations proceedings of the Kinnaur Employees Co-operative Consumer Store Ltd., Kalpa under liquidation upto 31-10-1983.

G. C. SUHAIL,
Registrar.

INDUSTRIES DEPARTMENT

FORM 'Q'

DECLARATION UNDER SECTION 24 OF THE ACT

Rekong-Peo, the 23rd March, 1982

No. Ind-KNR (Loan)-76-77/10-5859-60.—Whereas a notice was served on Shri Tashi Dandub s/o Shri Ram Chund, village Labrang, P.O. Labrang, Tehsil Pooh, District Kinnaur, Himachal Pradesh on the 24th day of July, 1978 under section 23 of the Himachal Pradesh State Aid to Industries Act, 1971, calling upon the said Shri Tashi Dandub to pay to me the sum of Rs. 1,000 (Rupees one thousand) along with up-to-date interest and penal interest due against him on or before 15-8-1978 and whereas the said sum has not been paid, I hereby declare that the sum of Rs. 950/- (Rupees nine hundred and fifty only) plus interest plus penal interest is due from the said Shri Tashi Dandub and the property described in the attached schedule is liable for the satisfaction of the said debt.

SCHEDULE

All assets present and to be hereinafter acquired by the loanee whether the said assets are present or in future in the name including book-debts, stocks, share, premises and machinery purchased with the aid of the loan or part thereof and any other personal security of the loanee against credit worthiness certificate.

R. C. DASS CHAUHAN,
General Manager,
District Industries Centre, Kinnaur.

PUBLIC WORKS DEPARTMENT

NOTIFICATIONS

Mandi, the 10th February, 1983

No. SEI-R-25-139/82-2161-64.—Whereas it appears to the Governor, Himachal Pradesh that the land is likely to be required to be taken by the Himachal Pradesh Government at the public expense for a public purpose, namely for the construction of Plassi-Tripalghat road, it is hereby notified that land in the locality described below is likely to be acquired for the above purpose.

This notification is made under the provisions of section 4 of the Land Acquisition Act, 1894 to all whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Governor, Himachal Pradesh is pleased to authorise the officers for the time being engaged in the undertaking with their servants and workmen to enter upon and survey the land in the locality and do all other acts required or permitted by that section.

Any person interested, who has any objection to the acquisition of the said land in the locality may, within thirty days of the publication of this notification, file an objection in writing before the Collector of Land Acquisition, H. P. W.D., Mandi and Kulu.

SPECIFICATION

District: MANDI

Tehsil: SARKAGHAT

Village 1	Khasra No. 2	Area in Hectares		
		3	4	5
LUHARDA	306/1	0	0	42
	269/1	0	0	73
	334/1	0	0	17
	288/1	0	0	16
	290	0	0	23
	319/1	0	0	62
	329/1	0	0	32
	324	0	0	56
	285/1	0	0	70
	310/1	0	0	10
	317/1	0	0	36
	309/1	0	0	16
	305/1	0	0	33
	312/1	0	0	28
	311/1	0	0	10
	332/1	0	0	12
	321/1	0	0	32
	322/1	0	0	62
	330/1	0	0	14
	335	0	0	8
	289/1	0	0	10
	293/1	0	0	17
	327/1	0	0	16
	287	0	0	90
	291	0	0	18
	326	0	0	06
	313/1	0	0	47
	271/1	0	0	49
	304/1	0	0	6
	302/1	0	0	12
	307/1	0	0	20
	316/1	0	0	60
	323/1	0	0	47
	325	0	0	46
Kitta	34	0	13	96
KETOH	480/1	0	1	0
	481/1	0	0	6
	509	0	2	32
	534/1	0	0	8
	535/1	0	0	23
	513/1	0	2	49
	518/1	0	1	96
	519/1	0	4	99
	477/1	0	1	69
	536	0	2	9
	538/1	0	0	96
	478/1	0	0	28
	520/1	0	1	31
	527/1	0	0	1
	545/1	0	0	52
	600/1	0	2	2
	559/1	0	0	64
	540/1	0	0	82
	524/1	0	0	46
	521/1	0	0	38
	544	0	0	70
	543/1	0	0	11
	548/1	0	0	27

1	2	3	4	5
	434	0	0	9
	436/1	0	0	11
	435/1	0	0	20
	547	0	0	30
	546	0	2	2
	581/1	0	0	25
	592	0	1	19
	590	0	0	32
	586	0	0	10
	591	0	0	6
	525/1	0	0	3
	590/1	0	0	10
	477/1	0	0	4
	584	0	0	45
	585	0	0	39
	583	0	1	3
	293/1	0	0	48
	541	0	0	47
	290/1	0	0	57
	289/1	0	0	20
	542/1	0	0	88

Kitta .. 44 0 35 29

NAWANI

7/1	0	0	57
111/1	0	0	14
2/1	0	0	74
4	0	0	65
8/1	0	0	81
22/1	0	0	84
23/1	0	0	90
21	0	2	14
113	0	3	8
9/1	0	0	92
19/1	0	0	92
20	0	2	20
118	0	1	8
156	0	0	28
155/1	0	0	18
142/1	0	0	31
141	0	0	63
139/1	0	0	16
143/1/1	0	0	16
143/2/1	0	0	32
144/1	0	0	19
96/1	0	1	84
134/1	0	1	5
134/2	0	0	34
172/1	0	0	20
5	0	0	68
3	0	2	24
97	0	2	78
135/1	0	1	29
137/1	0	1	62
136	0	3	11
10/1	0	0	34
18/1	0	0	34
99/1	0	2	50
106/1	0	0	20
77	0	2	80
90	0	2	59
104	0	2	21
140	0	1	11
11/1	0	0	33
15/1	0	0	38
89/1	0	2	12
109/1	0	1	63
16	0	0	84
119	0	1	45
168	0	0	85
12/1	0	0	40
14/1	0	0	34
102/1	0	2	67
92/1	0	0	20
158/1	0	0	28
13	0	0	56
105	0	2	18
157	0	1	9
100/1	0	2	23
95/1	0	0	48

1	2	3	4	5
	121/1	0	1	1
	124/1	0	0	73
	127/1	0	2	81
	99/1	0	0	99
	98	0	1	79
	120	0	0	24
	125	0	4	10
	133	0	0	10
	165/1	0	0	22
	132	0	2	58
	131	0	0	49
	128/1/1	0	0	60
	130/1	0	2	88
	163/1	0	0	9
	117/1	0	3	66
	154/1	0	0	24
Kitta ..	72	0	85	2

G. N. RAMASWAMIAH,
Superintending Engineer,
1st Circle, H.P. P.W.D., Mandi.

Whereas it appears to the Governor, Himachal Pradesh that the land is required to be taken by the Government at public expense for a public purpose, namely for*. It is hereby declared that the land described in the specification below is required for the said* purpose.

2. The declaration is made under the provisions of section 6 of the Land Acquisition Act, 1894 to all whom it may concern and under the provisions of section 7 of the said Act, the Collector, Land Acquisition, Himachal Pradesh P.W.D. is hereby directed to take order for the acquisition of the said land.

3. A plan of the land may be inspected in the Office of the Collector, Land Acquisition, Himachal Pradesh P. W. D., Winter Field, Shimla-3.

* Construction of Kethalighat-Bassa road.

No. SEIV-R-100/82-2284-87. Shimla-3, the 19th February, 1983.

SPECIFICATION

District : SOLAN

Tehsil : KANDAGHAT

Village 1	Khasra No. 2	Area	
		Big. 3	Bis. 4
BASSA	217/1	0	16
	218/1	1	3
	216/1	1	5
	227/1	1	5
	215/1	0	11
	213/1	0	9
	209/1 min	1	18
	209/2 min	1	14
	208/1	1	6
	773/264/1	1	13
Kitta ..	10	12	0

No. SEIV-R- 100/82-2280-83. Shimla-2, the 21st February, 1983.

KAMALA	151/1 min	0	12
	150/1 min	2	8
	349/152/1 min	0	7
	329/151/1 min	0	8
Kitta ..	4	3	15

Whereas it appears to the Governor, Himachal Pradesh that land is likely to be required to be taken by the Himachal Pradesh Government at the public expense for a public purpose, namely for*. It is hereby notified that land in the locality described below is likely to be acquired for the said* purpose.

This notification is made under the provisions of section 4 of the Land Acquisition Act, 1894 to all whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Governor, Himachal Pradesh is pleased to authorise the officers for the time being engaged in the undertaking with their servants and workmen to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

Any person interested, who has any objection to the acquisition of the said land in the locality may, within thirty days of the publication of this notification, file an objection in writing before the Collector of H.P.P.W.D., Shimla-3.

* Construction of Kali Hatti-Koh Bag road.

No. SE-IV-R-8 82-2430-33. Shimla-3, the 22nd February, 1983.

SPECIFICATION

District : SHIMLA Tehsil : SHIMLA

Village/Tikka 1	Khasra No. 2	Area	
		Big. 3	Bis. 4
PANCHARI	23 min	1	12
	23 min	1	3
	24	0	7
	25	0	9
	50 min	10	0
Total Kitta ..	5	13	11

No. SE-IV-R-8/82-2394-97. Shimla-3, the 22nd February, 1983.

DHAYALA	12 min	1	8
	13 min	3	0
	14 min	2	4
	15 min	3	0
	16 min	1	7
	17 min	1	0
	18 min	1	12
	19	4	16
	20	0	19
	21	0	2
	22	1	7
	87 min	6	0
	88	1	4
	89 min	4	0
	90 min	3	0
	91 min	2	4
	92 min	2	0
Total Kitta ..	17	37	3

No. SE-IV-R-8/82-2422-25. Shimla-3, the 22nd February, 1983.

TAFARA	19	0	1
	20 min	0	10
	22	0	5
	23	1	0
	24	0	3
	25	0	10
	26	0	13
	27	1	5
	28	1	7

1	2	3	4
	70/67 min	10	0
	72/67	10	0
	74/69/67	1	10
Total ..	12	29	2

No. SE-IV-R-8/82-2426-29. Shimla-3, the 22nd February, 1983.

SPECIFICATION

District : SOLAN Tehsil : ARKI

Village 1	Khasra No. 2	Area	
		Big. 3	Bis. 4
DOHACHI	6/1	4	0
	7/1	4	0
	8/1	5	0
Total ..	3	13	0

K. V. JAUHAR,
Superintending Engineer,
4th Circle, H.P. P.W.D., Shimla-3.

Whereas it appears to the Governor of Himachal Pradesh that land is likely to be required to be taken by the Government at the public expense for a public purpose*. It is hereby notified that the land in the locality described below is likely to be required for the said* purpose.

This notification is made under the provision of section 4 of the Land Acquisition Act, 1894 to all whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Governor, Himachal Pradesh is pleased to authorise the officers for the time being engaged in the undertaking with their servants and workmen to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

Any person interested, who has any objection to the acquisition of any land in this locality may, within thirty days of the publication of this notification, file an objection in writing before the Land Acquisition Officer, Himachal Pradesh Public Works Department, Hamirpur.

* Construction of Hamirpur-Jahu road 20/0 to 25/0.

No. SE-VIII/BSR-W-3/81/855-59.
Hamirpur, the 11th January, 1983.

SPECIFICATION

District : HAMIRPUR Tehsil : HAMIRPUR

Mauza	Village	Khasra No.	Area	
			K.	M.
1	2	3	4	5
BAMSAN BHOTI		377	1	14
		752/376	0	2
		378	0	14
		433	6	18
		432	1	11
		430	0	1
		429	0	1
		834/338	0	3
		339	0	3
		340	0	2
		341	0	1
		355	0	1
		356	0	1
		357	0	1
Total Kita ..		14	11	13

1	2	3	4	5
MEHA	BELAG	855	0	11
		795	5	3
		719	0	14
		691	1	3
		602	3	4
	Kita ..	5	10	15
BAMSAN	BASSI	107	0	12
		108	0	19
		110	0	9
		109	1	4
		111	1	4
		112	0	16
	Kita ..	6	5	4
MEWA	TIKKARI	40	0	3
	(GHAR-	49	2	3
	WALAN)	44	0	12
		45	1	12
		46	0	12
		67	0	4
		68	0	2
		70	0	2
		69	0	2
		94	0	3
		93	0	5
		91	0	15
		492/108	0	5
		109	0	6
		22	0	2
		482	0	3
		393	0	5
		398	0	13
		72	0	4
		89	0	9
		67	0	1
		88	0	2
		403	0	5
		406	0	2
		408	0	1
		499/425	0	3
		500/423	0	3
		501/427	0	2
		502/427	0	1
		505/427	0	3
		432	0	5
		433	0	8
	Kita ..	32	11	1
-do-	LADHRA	148	0	7
		147	Less than marla	1
		398	0	1
		400	0	4
		401	0	2
	Kita ..	5	0	14
-do-	CHHATTAR	150	0	2
	KALAN	152	0	3
		702/151	0	1
		703/151	0	6
		704/151	0	1
		705/151	Less than marla	
		706/151	6	1
		707/151	0	1
		708/151	0	2
		162	0	3
		163	0	6
		164	0	3
		536/184	0	17
		537/184	0	4
		749/201	0	4
		237	0	2
		238	Less than marla	
		239	0	2
		242	0	6
		244	Less than marla	

1	2	3	4	5
		763/243	0	1
		261/2	0	4
		261/1	Less than marla	
		260/1	0	2
		263	0	2
		262	0	5
		196	0	3
		563/200	0	2
		562/200	0	6
		561/200	0	7
		740/190	0	2
		554/187	0	2
		181	0	3
		550/185	0	3
		549/185	0	6
		548/185	0	2
		547/185	0	3
		159	0	4
		161	0	9
		154	0	8
	Kita ..	41	7	0
MEWA	BALLI	2	0	10
		26	1	3
		28	0	14
		30	0	12
		31	Less than marla	
	Kita ..	5	2	19
Grand Total	Kita ..	108	49	6

*Construction of Patta-Awah Devi road 0/0-5/0.

No. SE-VIII/HMR-W-3/82,840-44.

Hamirpur, the 11th January, 1983.

MEHALTA	PATTA	3	0	1
		5	0	9
		7	0	7
		11	Less than marla	
		12	0	12
		18	0	13
		60	0	3
		65	0	1
		70	0	1
		71	0	10
		72	0	14
		73	0	1
		75	0	2
	Kita ..	13	4	14
MEHALTA	DRUN	362/119	0	4
	NAGRAWAN.	363/119	0	3
		364/119	0	1
		365/119	0	3
		366/119	0	3
		121	0	2
		122	0	1
		123	0	3
		127	0	3
	Kita ..	9	1	3
MEHALTA	KANJWIN	57	0	7
		60	0	1
		62	0	2
		390	0	2
		391	0	2
		394	0	1
		396	0	1
	Kita ..	7	0	16

1	2	3	4	5	1	2	3	4	5
MEHALTA KHARWAR	3		0	8			930	2	9
	5		0	15			931	1	3
	8		0	8			932	0	4
	10		0	5			933	0	1
	96		0	1			963	0	15
	97		0	7			964	0	4
	191		0	19			977	0	2
	141		0	6			978	0	6
	142		0	4			974	0	2
	190		0	10			972	0	14
	189		0	2			979	6	6
	181		0	13			980	0	12
	180		0	3			982	0	6
	168		0	2			983	0	3
	179		2	18			984	0	4
	330		11	12			985	0	2
	329		0	5			986	0	4
	323		0	6			1003	0	11
	322		0	10			1004	0	11
	321		0	2			1006	0	1
	311		0	10			1015	0	13
	310		0	5			1029	Less than marla	
	235		0	4					
	236		0	2		Kita ..	102	64	15
	237		0	1					
	238	Less than marla					70	0	1
	239	0	1		MEHALTA TIKKER		69	0	2
	241	Less than marla			KHARWARIAN		75	0	1
	232	0	8				76	0	3
	231	0	1				77	0	11
	226	Less than marla					83	0	7
	225	-do-					82	0	2
	224	-do-					85	Less than marla	
	222	0	5				65	0	1
	221	Less than marla					67	0	2
	220	0	1				61	0	8
	192	0	7				58	0	1
	799	0	3				778/56	0	6
	800	Less than marla					1	0	1
	1123/801	0	2				6	0	3
	1124/801	0	2				7	0	4
	1125/801	0	8				8	0	1
	803	0	1				9	0	1
	802	0	1				562	0	4
	804	5	18				550	0	2
	805	0	4				560	1	9
	806	0	6				549	0	15
	827	Less than marla					548	Less than marla	
	828	0	7				525	1	2
	829	0	2				528	0	2
	830	0	6				526	0	7
	831	0	3				327	0	6
	832	0	8				808/529	0	1
	833	0	4				809/529	0	4
	839	0	7				530	0	6
	840	0	1				502	0	5
	842	Less than marla					504	Less than marla	
	844	0	10				501	0	5
	846	0	4				500	0	1
	847	0	9				498	0	15
	848	Less than marla					463	0	5
	859	0	12				462	0	4
	860	1	8				461	0	1
	761	0	8				459	Less than marla	
	882	0	6				458	1	0
	881	0	5				714	0	19
	880	0	19				716	0	4
	879	0	11				715	0	9
	876	0	6				734	Less than marla	
	869	0	4				737	0	2
	868	0	1				738	0	17
	863	1	14				739	0	13
	861	0	9				740	2	0
	864	0	8				741	Less than marla	
	865	0	6				768	5	8
	895	0	1						
	897	0	3			Total Kitta ..	50	21	1
	905	0	2						
	907	0	6			BAMSAN ROHWIN	1	1	3
	906	6	6				10	0	7

1	2	3	4	5
		9	0	8
		7	0	5
		5	0	4
		3	2	17
		180	0	1
		181	0	7
		182	0	4
		183	0	13
		184	0	9
		201	0	1
		202	0	1
		203	0	3
		205	0	3
		206	0	11
Total Kitta ..		16	7	17
MEHALTA BHIAR	31	Less than marla		
	3002/2778	0	6	
	3003/2778	0	1	
	3004/2778	0	2	
	2779/32	0	1	
	53	0	9	
	44	0	9	
	43	0	1	
	41	1	4	
	39	0	14	
	37	0	3	
	24	0	3	
	23	0	2	
	20	0	6	
	57	0	11	
	63	Less than marla		
	62	-do-		
	61	0	1	
	60	0	11	
	59	1	12	
	1322	0	1	
	1325	0	7	
	1357	Less than marla		
	1488	0	3	
	1489	0	2	
	1497	0	11	
	1582	Less than marla		
	1586	0	5	
	1587	0	1	
	1579	0	5	
Total Kitta ..	30		9	11
Grand Total ..	227		109	17

*Construction of Patta-Awah-Devi road 5/0 to 10/0.

No. SE-VIII/BSR-W-3/82/845-47.

Hamirpur, the 11th January, 1983.

BAMSAN DUNGRI	1117	Less than marla		
	1159	-do-		
	1033	-do-		
	1593	0	3	
	1890/1594	0	5	
	1604	0	2	
	1603	Less than marla		
	1875/1605	0	3	
	1606	0	12	
	1610	0	2	
	1611	0	1	
	1612	0	8	
	1011	0	2	
	992	0	1	
	993	0	2	
	1885/991	0	1	
	808	Less than marla		
	807	0	2	
	804	Less than marla		
	808	0	3	
	1784/779	0	3	
	777	Less than marla		

1	2	3	4	5
		1832/1814	0	4
		778	0	7
Total Kitta ..	24		3	1
BAMSAN KOSHAR	460		0	1
	461		0	11
	570/462		1	3
	571/462		0	5
	463		0	11
	464		0	2
	490		0	13
	492		0	9
	491		4	9
	493		0	7
	494		3	0
	496		0	3
	497		0	2
	498		0	15
	499		0	12
	501		0	2
	502		0	2
	503		0	1
Total Kitta ..	18		13	8
BAMSAN SADRIAN	24		0	4
	23		0	3
	22		0	3
	370		0	13
	20		0	1
	369		0	5
	26		1	3
	429/28		0	5
	430/28		0	6
	41		0	13
	43		1	6
	45		0	7
	437/51		0	1
	52		0	19
	53		0	12
	76		2	17
	84		0	4
	85	Less than Marla		
	1	0	10	
	2	0	6	
	3	0	0	
	17	0	7	
Total Kitta ..	23		12	6
BAMSAN BHATER	481		0	2
	484		0	12
	485		1	6
	486		0	4
	901/487		0	9
	900/487		0	2
	902/487		0	12
	903/487		0	3
	492		0	12
	574		0	5
	581		0	1
	591		0	1
	592		0	5
	593		1	4
	597		0	10
	604		0	1
	605		2	18
	606		1	3
	829/607		0	2
	830/807		0	7
	834/616		0	7
	833/616		0	5
	851/682		0	4
	683		0	7
	687		0	6
Kita ..	26		12	16

1	2	3	4	5	1	2	3	4	5
BAMSAN	SAMBHU	83	0	1			546	0	4
		82	0	13			550	0	1
		86	0	13			547	0	1
		87	0	11			549	0	1
		85	0	1			480	0	4
		89	0	13			553	0	16
		91	1	0			931/552	0	12
		92	1	9			932/552	0	10
		94	3	11			933/552	0	8
		60	1	15			934/552	0	4
		59	1	11			935/552	0	9
		96	0	16			936/552	0	12
		95	0	1			937/552	0	2
		97	0	1			938/552	0	9
		98	0	1			939/552	0	10
		13	0	1					
		12	0	2					
		134	0	3					
		133	0	2					
		185	1	4					
		184	0	15					
		56	Less than	Marla.					
		154	0	13					
		153	0	9					
		136	0	5					
		100	0	3					
		101	0	2					
		102	Less than	marla.					
		103	0	6					
		104	0	1					
		105	0	1					
		528	0	2					
		529	0	2					
		530	0	2					
		84	0	2					
		135	2	4					
		99	2	6					
		186	0	1					
Total kita ..		38	22	3					
TARKWARI		1490	0	10					
		1461	0	1					
		1453	0	6					
		1452	0	2					
		1451	0	2					
Total kita ..		5	1	1					
MALIAN		49	1	19					
		949/45	0	3					
		948/45	0	1					
		947/45	0	10					
		946/45	0	17					
		2	0	17					
		1	0	9					
		48	1	18					
		46	2	1					
		47	0	5					
Total kita ..		10	9	8					
MEBA	JIJWIN	1	4	2					
		2	2	14					
		3	1	13					
		21	0	19					
Total kita ..		4	9	8					
BAMSAN	GHUMARLI	736	0	17					
		735	0	10					
		734	0	14					
		733	0	3					
		954/556	9	16					
		953/556	0	2					
		952/556	1	5					
		724	0	17					
		555	0	19					
		551	1	11					
		557	0	8					

1	2	3	4	5
		546	0	4
		550	0	1
		547	0	1
		549	0	1
		480	0	4
		553	0	16
		931/552	0	12
		932/552	0	10
		933/552	0	8
		934/552	0	4
		935/552	0	9
		936/552	0	12
		937/552	0	2
		938/552	0	9
		939/552	0	10
Total kita ..	26		22	5
Grand Total kita ..	174		105	8

* Construction of Bassi-Bhareri-Tattar road km 0/0 to 5/0.

No. SE--VIII/LA-BSR-W-3/82-860-64.

Hamirpur, 11th January, 1983.

BAMSAN	BHOTI	425	Less than marla.
		433	8
		432	1
		430	0
Total kita ..	4		10

MEWA	BELEG	587	Less than marla.
		588	0
		1002/573	Less than marla.
		1003/573	-do-
		621	0
		592	0
		593	1
		596	2
		598	Less than marla.
		597	0
		600	Less than marla.
		602	1
		682	Less than marla.
		683	0
		684	1
		685	0
		687	0
		688	0
		690	0
		691/1	0
		694	0
		695	0
		696	0
		697	0
		693	0
		692	Less than marla.
		698	0
		1024/700	Less than marla
		1025/701	0
		1026/701	0
		702	0
		703	0
		704	0
		705	0
		719	2
		760	0
		761	0
		763	0
		764	Less than marla.
		794	0
		793	0
		791	0
		790	0
		784	0
		785	0
		789	0
		786	0

1	2	3	4	5	1	2	3	4	5
		796	0	1			1232	3	2
		797	Less than marla.				1347	0	16
		798	-do-				1378	2	12
		795	6	2					
		885	4	13					
	Total kita ..	53		27 16	Total kitta ..		69	13	16
					NAGROTA		6	0	2
							7	0	1
							8	0	3
							10	0	4
							11	0	1
							22	0	3
							16	0	2
							15	0	4
							14	0	1
							21	0	4
							22	0	2
							23	0	2
							28	0	2
							29	0	5
							31	0	3
							38	Less than marla.	
							39	0	1
							795/40	0	2
							794/40	0	2
							736/298	Less than marla.	
							735/298	0	1
							734/298	Less than marla.	
							301/2	-do-	
							303	0	1
							304	0	2
							305	Less than marla.	
							306	0	2
							314	Less than marla.	
							315	-do-	
							316	0	1
							317	0	2
							320	0	2
							537	0	1
							699/533	0	1
							700/533	0	1
							701/533	0	1
							703/533	Less than marla.	
							812/554	-do-	
							677/548	0	1
							543	0	1
							643/541	0	2
							642/541	0	4
							641/541	0	2
							540	0	1
							515/2	0	3
							539	0	5
							545	Less than marla.	
							601	0	2
							693/635/602	0	3
							609	0	6
							610/1	0	6
							611	0	12
							616	0	5
							515/1	0	4
							513	0	1
							514	0	2
							526	0	2
							527	0	3
							524	Less than marla.	
							525	0	3
							521	0	9
							520	0	6
							519	0	5
							516	0	3
							517	0	5
							487	0	1
							518	0	2
							480	0	2
							620	Less than marla.	
							621	-do-	
							622	-do-	
							474	0	7
							473	0	2
							623	0	6

1	2	3	4	5	1	2	3	4	5
		624	0	2			1344/998	0	7
		625	0	7			1345/998	0	10
		629	0	13			1346/998	0	7
							1354/999	0	7
Total kita ..	78		9	17			1355/999	0	10
							1356/999	0	10
MEWA DHIRAR	316		0	9			1357/999	0	5
	320		1	0			1351/1000	0	15
	345		0	2			1352/1000	0	12
	317		1	10			1353/1000	0	9
							1349/1001	0	19
Total kita ...	4		3	1			1350/1001	1	6
							1309/1002	0	16
SHOUTA	393		0	4			1310/1002	0	18
	394		0	6			1311/1002	0	7
	399		0	9			1312/1002	0	2
	403		0	2			1314/1002	0	5
	405		0	1			1315/1003	0	19
	406		0	1			1460/964	0	11
	1514/412		0	2			1468/964	0	6
	432		0	12			1461/964	0	11
	429		0	4			1462/964	0	16
	471		0	7			1463/964	0	4
	474		0	5			1457/964	0	11
	475		0	6			1465/964	0	1
	486		0	5			1467/964	0	4
	488		0	4			1459/964	0	6
	541/482		0	5			1456/964	0	9
	468		0	1			1522/1454	1	2
	459		0	3			1455/964	0	3
	460		0	1			1458/964	0	2
	434		0	4			989	0	10
	437		0	6			955	0	12
	444		0	2			956	0	2
	445		0	3			954	Less than marla.	
	446		0	6			1305/1090	0	5
Total kita ...	23		4	19			1091	0	13
							1096	0	3
BHOGWAN	299		0	6			941	Less than marla.	
	300		0	4			939	0	1
	301		0	6			938	0	1
	302		0	3			937	0	2
	307		0	11			1209/782	0	1
	303		0	5			1210/782	0	5
	285		0	10			1069	0	4
	284		0	9			1085	0	14
	283		0	4			1087	0	4
	281		0	6			1086	0	6
	282		0	1			1088	0	17
	140		0	4			1093	1	3
	136/1		0	14			1094	0	2
	135		0	2			1092	0	1
	333		0	2			1061	0	3
	332		0	11			1089	0	6
	331		0	11			1068	0	6
	325		0	4			1058	0	9
	324		0	6			1057	0	3
	323		0	8			1055	1	18
	319		0	10			1302/1053	0	1
	317	Less than marla.					1301/1053	0	11
	316	0	1				1303/1053	0	5
	315	0	2				1300/1052	0	8
	314	0	1				1298/1052	0	2
	313	0	4				1316/1003	1	0
	312	0	1				1323/1004	0	14
	311	0	1				1077	0	7
Total kita ..	28		7	7			1076	0	9
							1075	0	4
Grand Total kita ..	259		76	16			1065	1	0
							1064	0	4
							1066	0	4
							1067	0	16
							1211/782	0	13
							1212/782	0	19
							1202/993	1	19
							1203/993	0	16
							1204/994	0	17
							1205/993	0	7
							1208/993	2	4
							994	0	4

*Construction of Hamirpur-Jahu road km. 15/0 to 20/0

No. SE-VIII-LA-BSR-W-3/82-1120-24.

Hamirpur, the 13th January, 1983.

BAMSAN TANWAN 1408/959 1 1
1407/959 0 8
1341/997 0 12

Hamirpur, the 21st January, 1983

No. SE-VIII-LA-HMR-W-3/81/1536-40.—Whereas it appears to the Governor, Himachal Pradesh that the land is required to be taken by the Government at public expense for a public purpose, namely for the construction of Awah Devi-Bagwara road in Hamirpur district, it is hereby declared that the land described in the specification below is required for the above purpose.

The declaration is made under the provision of section 6 of the Land Acquisition Act, 1894 to all whom it may concern and under the provisions of section 7 of the said Act, the Collector, Land Acquisition, H.P.P.W.D., Hamirpur is hereby directed to take order for the acquisition of the said land.

A plan of the land may be inspected in the office of the Collector, Land Acquisition, H. P. P. W. D. Hamirpur and the Executive Engineer Hamirpur Division H. P. P. W. D. Hamirpur.

SPECIFICATION

District: HAMIRPUR

Tehsil: HAMIRPUR

Village 1	Tika 2	Khasra No. 3	Area K. M. 4 5		
BAMSAN	BHAMNO	559	3	10	
		552	2	6	
		561	6	16	
	UTAMBER	Total ..		12	12
		167	1	18	
		168	1	5	
		169	0	5	
		170	0	4	
		171	0	10	
		172	0	18	
		275	0	13	
		275/1	0	1	
		280	1	6	
		281	1	8	
		277	0	1	
282	2	7			
282/1	0	7			
400/267	1	2			
401/267	0	11			
382/264	0	13			
384/264	0	5			
381/264	0	6			
379/264	Less than marla.				
383/264	0	1			
394/266	0	9			
385/266	0	2			
383	0	2			
402/267	0	2			
279	0	15			
	Total ..		15	11	
BIMSAL	UTAMER	383/264	0	1	
		384/266	0	9	
		385/266	0	2	
		383	0	2	
		402/267	0	2	
		279	0	15	
	Total ..		1	11	
BAGWARA		285	0	8	
		284	0	3	
		283	0	3	
		280	0	4	
		1678/279	0	1	
		278	0	7	
		277	Less than marla.		
		410	0	3	
		426	0	2	
		422	0	7	
423	0	3			

1	2	3	4	5
		424	0	3
		1688/425	0	2
		1687/425	0	2
		435	0	5
		431	0	1
		439	0	3
		440	0	1
		445	0	2
		443	0	4
		442	0	4
		407	0	2
		575	0	8
		383	0	2
		381	Less than marla.	
		382	0	2
		378	0	2
		1680/377	0	2
		169/372	0	1
		373	0	2
		385	0	5
		386	0	4
		387	0	2
		388	0	1
		1540/389	1	4
		1541/369	0	9
		389	1	7
		390	0	2
		360	0	10
		367	0	5
		387/1	1	12
		1542/370	0	16
		1550/1218	1	12
		1206	0	2
		1207	0	4
		1209	Less than marla.	
		1551/1219	0	1
		1543/370	0	3
		368	1	0
		360	0	1
		364	1	18
		1684/363	0	18
Total ..			17	4
Grand Total ..			45	7

Hamirpur, the 21st January, 1983

No. SE-VIII/LA-BSR-W-3-81/1541-45—Whereas it appears to the Governor, Himachal Pradesh that land is likely to be required to be taken by the Government at the public expense for a public purpose, namely for the construction of Bhaureri-Salgwan road, km. 0/0 to 5/0. It is hereby notified that land in the locality described below is to be required for the above purpose.

This notification is made under the provision of section 4 of the Land Acquisition Act, 1894 to all whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Governor, Himachal Pradesh is pleased to authorise the officers for the time being engaged in the undertaking with their servants and workmen to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

Any person interested, who has any objection to the acquisition of the said land in the locality may, within thirty days of the publication of this notification, file an objection in writing before the Collector of Land Acquisition, H.P. P.W.D., Hamirpur.

SPECIFICATION

District: HAMIRPUR

Tehsil: HAMIRPUR

Village/Tikka 1	Khasra No. 2	Area in K. M. 3 4
DHAMROL	204	0 1
	203	0 1
	202	0 5
	206	0 7
	205	1 5
	207	1 15
	208	0 4
	213	0 2
	214	0 7
	216	0 3
	225/1	0 14
	226	0 3
	225	0 5
	175	0 7
	174	1 0
	200	0 1
	198	Less than marla.
	196	0 2
	182	0 4
	169	0 8
	170	1 3
	173	0 11
	171	0 6
	172	0 1
	168	0 1
	167	0 5
	164	Less than marla.
	163	0 7
	154	0 4
	153	0 18
	150	Less than marla.
	149	0 1
	148	0 3
	138	0 4
	137	0 3
	136	0 9
	135	0 1
	134	0 2
	131	0 4
	132	0 19
	133	0 11
	238	0 11
	238/1	1 2
	238/2	1 0
	241	0 7
	242	0 11
	243	0 3
	309	0 1
	309/1	0 3
	308	0 1
	311	Less than marla.
	310	0 9
	366	1 6
	367	0 13
	369	0 2
	537	1 2
	543	1 3
	544	1 16
	545	0 8
	546	0 9
	547	0 7
	548	0 10
	549	0 8
	550	0 13
	551	0 17
	638	0 13
	636	Less than marla.
	634	-do-
	629	0 10
	635	0 7
	627	1 1
	628	2 4
	552	1 1
	626	0 16
	625	0 8

1	2	3	4
	623	Less than marla.	
	622	0	8
	621	0	11
	624	0	1
	616	1	15
	615	0	6
	614	0	1
	1723/606	0	5
	1722/606	0	4
	1724/606	0	3
	617	0	7
	618	0	3
	619	0	2
	961	0	9
	962	0	9
	963	0	11
	989	0	14
	990	0	18
	999	0	13
	1000	3	9
	1001	0	1
	1002	0	1
	1004	0	7
	1005	0	7
	1006	0	11
	970	0	17
	980	2	4
	988	0	2
	987	0	10
	986	0	2
	984	0	8
	983	0	8
	982	0	11
	981	0	11
	979	0	14
	971	0	8
	969	0	4
	538	0	11
	539	0	4
	540	0	2
	541	Less than marla.	
	1725/960	0	12
	1726/960	1	3
	1727/960	0	15

Total kita .. 119 58 11

KHURAL

516	0	1
517	0	16
1071/527	1	3
540	0	13
541	0	8
530	0	17
563	0	10
585	0	4
564	0	2
565	1	7
568	0	10
574	0	1
571	0	1
573	0	19

Total kita .. 14 7 12

NALTU

409	0	1
410	0	10
411	0	2
418	Less than marla.	
407	0	12
408	0	12
422	0	4
423	0	5
424	0	5
427	Less than marla.	
428	0	6
429	0	2
430	0	13
431	0	2
432	0	4
433	0	1
436	0	1
552	0	2

1	2	3	4	1	2	3	4
	450	0	1		194	Less than marla.	
	448	0	2		464/199	0	4
	446	0	2		465/199	Less than marla.	
	445	0	1		200	-do-	
	441	0	1		197	0	2
	440	0	1		198	0	4
	442	0	9		139	0	1
	443	Less than marla.			140	0	7
	444	0	2		510/201	0	6
	452	0	3		509/201	Less than marla.	
	453	0	3		511/201	0	3
	454	0	1		512/201	0	13
	455	0	8		513/201	0	6
	456	0	3		203	0	1
Total kita ..	32	5	19		202	0	3
MABA/MANOH	232	Less than marla.			204	0	1
	231	0	1		205	0	3
	234	0	10		466/206	0	1
	235	0	6		467/206	0	6
	236	0	9		207	0	6
	237	0	10		208	0	2
	225	Less than Marla.			209	0	2
	219	-do-			127	Less than marla.	
	218	0	2		543/126	0	1
	238	0	8		545/126	0	2
	241	Less than Marla.			125	0	6
	240	-do-			427	0	6
	242	0	1		430	0	1
	243	0	3	Total kita ...	61	14	6
	244	4	1	MABA/KAKROT	789	Less than marla.	
	245	0	2		794	0	2
	247	0	1		793	0	6
	248	0	2		796	0	2
	249	0	1		798	0	2
	250	0	7		795	2	7
	251	0	4		799	0	6
	252	0	8		799/1	0	1
	253	0	5	Total Kita ..	8	3	6
	354/254	0	4	MABA/BHOUR	154	0	16
	353/254	0	4		645	0	5
	355/256	0	2		647	0	2
	356/256	0	9		658	0	13
	257	0	4		657	0	3
Total kita ..	28	9	4		648	0	2
MABA/LAKHAU	279	0	4		649	0	2
	7	0	18		650	0	5
	10	0	1		655	Less than marla.	
	40	0	4		651	0	9
	39	0	2		625	0	2
	41	0	10		1090/640	0	2
	42	0	1		1091/640	Less than Marla.	
	43	Less than marla.			635	1	12
	78	0	9		627	0	4
	79	0	10		628	0	3
	80	0	7		629	0	7
	81	0	1		630	0	3
	88	0	12		626	0	10
	89	0	9		714	0	1
	534/90	0	1		722	Less than marla.	
	141	1	7		723	0	11
	145	0	16		724	0	3
	146	0	1		725	0	6
	147	0	5		726	0	2
	144	0	8		727	0	1
	157/143	0	2		728	0	2
	156/143	0	6		729	0	2
	142	0	3		730	0	1
	170	0	8		732	1	14
	171	0	6		733	0	1
	172	0	3		519	0	6
	460/174	0	1		516	0	4
	461/174	0	5		515	0	12
	175	0	3		514	0	8
	176	0	5		513	0	3
	539/179	0	2		502	Less than marla.	
	462/185	0	2		500	0	8
	196	0	7				

1	2	3	4	1	2	3	4
	503	0	18		810	Less than marla.	
	504	0	1		811	Less than marla.	
	497	0	2		812	0	1
	498	0	9		813	0	1
	499	0	7		819	Less than marla.	
	481	0	13		820	Less than marla.	
	482	0	1		821	0	1
	478	0	6		823	0	1
	479	0	6				
	480	0	1				
	475	0	1				
	476	0	1				
	477	0	1				
	448	0	7				
	449	0	1				
	450	0	8				
	451	0	2				
	461	0	7				
	452	0	14				
	453	0	11				
	459	0	1				
	459	Less than marla.					
	455	0	2				
	456	0	2				
	454	0	15				
	444	0	2				
	441	Less than marla.					
	843	1	3				
Total kita ..	66		19	7			
MABA/BHALWANI							
	364	0	5				
	460	0	5				
	461	0	3				
	461/1	0	2				
	464	0	2				
	459	0	2				
	458	0	1				
	457	0	1				
	465	0	4				
	466	Less than marla.					
	525	0	3				
	524	0	2				
	523	0	1				
	526	0	4				
	527	0	3				
	528	0	3				
	528	0	1				
	543	0	2				
	544	0	1				
	545	0	1				
	546	0	2				
	757	0	1				
	756	0	1				
	755	0	1				
	754	0	1				
	751	0	1				
	750	0	1				
	749	0	1				
	746/1	0	4				
	746	0	4				
	741	0	2				
	734	Less than marla.					
	740	0	3				
	738	0	1				
	737	0	1				
	735	Less than marla.					
	761	0	3				
	760	Less than marla.					
	759	Less than marla.					
	766	0	1				
	767	0	1				
	768	0	1				
	769	0	3				
	771	0	3				
	799	0	3				
	801	0	4				
	802	0	1				
	803	0	1				
	804	1	8				
	806	Less than marla.					
	805	0	3				

1	2	3	4	1	2	3	4
	90/1	0	05		122/1	0	02
	91/1	0	06		121/1	0	04
	92/1	0	02		120/1	0	06
	93/1	0	02		96/1	0	04
	94/1	0	00		95/1	0	05
	95/1	0	06		94/1	0	02
	133/1	0	06		91/1	0	03
	135/1	0	06		90/1	0	05
	136/1	0	06		76/1	0	08
	194/1	1	00		75/1	0	08
	148/1	0	15		73/1	0	01
	190/1	1	07		72/1	0	07
	199/1	0	04		71/1	0	02
	198/1	0	05		69/1	0	00
	197/1	0	05		70/1	0	02
	196/1	0	01		67/1	0	11
	201/1	0	02		66/1	0	06
	202/1	0	04		65/1	0	06
	203/1	0	03		51/1	0	16
	204/1	0	06		48/1	0	06
	206/1	0	03		43/1	0	12
	207/1	0	04		42/1	0	06
	208/1	0	03		484/41/1	0	07
	209/1	0	04		38/1	0	06
	223/1	0	02		37/1	0	09
	224/1	0	03		348	1	06
	225/1	0	09		350	8	06
	275/229/1	0	08		316	8	12
	276/229	0	04		197/1	4	11
	232/1	0	09		170/1	0	04
	233/1	0	07		171/1	0	07
	234/1	0	01		173/1	0	03
	235/1	0	02		174/1	0	04
	238/1	0	01		175/1	0	02
	282/377/1	0	02		195/1	0	02
	256/1	0	04		196/1	0	09
	254/1	0	03		198/1	0	11
	253/1	0	04		317/1	0	05
	252/1	0	07		318/1	0	05
	251/1	0	04		319/1	0	04
	250/1	0	07		419/320/1	0	02
	249/1	0	06		321/1	0	04
	248/1	0	05		322/1	0	04
	247/1	0	05		323/1	0	05
	246/1	0	04		324/1	0	05
	245/1	0	12		330/1	0	02
	243/1	0	05		331/1	0	07
	255	6	00		332/1	0	08
	195	4	18		333/1	0	06
Total kita	68	28	18		334/1	0	03
JANGLE/	150/1	0	03		335/1	0	01
JANGLE	148/1	0	04		341/1	0	13
	152/1	0	01		343/1	0	06
	146/1	0	06		344/1	0	05
	145/1	0	03		345/1	1	00
	137/1	0	03		346/1	0	07
	136/1	0	03		349/1	0	09
	135/1	0	04		351/1	0	05
	134/1	0	06		352/1	1	13
	133/1	0	01	Total Kita	76	43	06
	133/2	0	06	Grand Total kitta	144	72	04
	132/1	0	04				
	130/1	0	05				
	126/1	0	02				
	128/1	0	01				
	127/1	0	15				
	123/1	0	02				

By order,
Sd/-Superintending Engineer,
9th Circle, H.P.P.W.D., Narpur.

भाग 3—अधिनियम, विधेयक और विधेयकों पर प्रवर समिति के प्रतिवेदन, वैधानिक नियम तथा हिमाचल प्रदेश के राज्यपाल, हिमाचल प्रदेश हाई कोर्ट, फाइनेंशियल कमिशनर तथा कमिशनर आफ इन्कम-टैक्स द्वारा अधिसूचित आदेश इत्यादि

HOME DEPARTMENT
NOTIFICATION

Simla-2, the 21st April, 1982

No. 19-3/71-Home (B).—In exercise of the powers conferred by proviso to Article 309 of the Constitution of India and all other powers enabling him in this behalf

in consultation with the Himachal Pradesh Public Service Commission, the Governor, Himachal Pradesh is pleased to make the Recruitment and Promotion Rules for the post of Superintendent Class-II (Gazetted) in the office of Advocate General, States of Himachal Pradesh, as attached in the Annexure.

These rules shall come into force from the date of issue of the notification.

ANNEXURE I

Recruitment and Promotion Rules for the post of Superintendent (Gazetted) in the Department of Home in the Organisation of Advocate General, State of Himachal Pradesh, Simla-171001

1. Name of the post Superintendent.
2. Number of posts One.
3. Scale of pay Rs. 825—1580.
4. Classification Class-II (Gazetted).
5. Whether selection post of non-selection post. Selection.
6. Age for direct recruits. Between 18 to 30 years.
7. Minimum educational and other qualifications required for direct recruits.

Essential.—(a) Professional Degree in Law or its equivalent from any recognised University or its equivalent in India.

(b) Should have worked in a supervisory capacity at least for one year.

Desirable.—Knowledge of customs, manners and dialects of Himachal Pradesh and suitability for appointment in the peculiar conditions prevailing in the Pradesh.
8. Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotees. Age No. Educational qualification Yes.
9. Period of probation, if any. Two years subject to such further extension for a period not exceeding one year as may be ordered by the competent authority in special circumstances and for reasons to be reduced to writing.
10. Method of recruitment, whether by direct recruitment or by promotion, deputation/transfer and the percentage of vacancies to be filled by various methods. By promotion failing which by transfer or by direct recruitment.
11. In case of recruitment by promotion, deputation/transfer, grades from which promotions, deputations/transfer to be made. By promotion from amongst Assistants having six years regular or *ad hoc* service or both as such, failing which by transfer of an official having at least seven years regular or *ad hoc* service or both as an Assistant under the H. P. Government and possessing the educational qualifications prescribed in column 7.
12. If a DPC exists, what is its composition. DPC to be presided over by the Chairman, H.P. Public Service Commission or a Member thereof to be nominated by him.
13. Circumstances under which the H.P. Public Service Commission is to be consulted in making recruitment. As required under the Law.

Foot Notes:

1. A candidate for appointment to any service or must be:—
 - (a) A Citizen of India, or
 - (b) a subject of Nepal, or
 - (c) a subject of Bhutan, or
 - (d) a Tibetan refugee who came over to India before the 1st January, 1962 with the intention of permanently settling in India, or
 - (e) a person of Indian origin who has migrated from Pakistan, Burma, Sri Lanka, East African countries of Kenya, Uganda, the United Republic of Tanzania (formerly Tanganyika and Zanzibar), Zambia, Malawi, Zaire and Ethiopia with the intention of permanently settling in India:

Provided that a candidate belonging to categories (b), (c), (d) and (e) shall be a person in whose favour a certificate of eligibility has been issued by the Government of India/State Government.

A candidate in whose case a certificate of eligibility is necessary may be admitted to an examination or interview conducted by the Himachal Pradesh Public Service Commission or other recruiting authority, but the offer of appointment may be given only after the necessary eligibility certificate has been issued to him by the Government of India/Government of Himachal Pradesh.

3. Upper age-limit for direct recruits will not be applicable to the candidate already in the service of the Government.

4. Upper age-limit is relaxable for Scheduled Castes/Tribes candidates and other categories of persons to the extent permissible under the general or special orders of the H. P. Government.

5. Age-limit for direct recruits will be reckoned from the last date fixed for receipt of applications by the Commission.

6. Age and experience for direct recruits relaxable at the discretion of the Commission in the case of candidates otherwise well-qualified.

7. Provisions of columns 10 and 11 are to be revised by the Government in consultation with the Commission as and when the number of posts under column 2 are increased or decreased.

8. Where the Government is of the opinion that it is necessary or expedient to do so, it may, by order, for reasons to be recorded in writing and in consultation with the Himachal Pradesh Public Service Commission, relax any of the provisions of these rules with respect to any class or category of persons or post.

9. Selection for appointment to these posts in the case of direct recruitment, shall be made on the basis of *viva voce* test, if the Commission so considers necessary or expedient by a written test, the standard/syllabus etc. of which will be determined by the Commission or a practical test:

10. In all cases where a junior person becomes eligible for consideration by virtue of his total length of service (including *ad hoc* one) in the feeder post, all persons senior to him in the respective category shall be deemed to be eligible for consideration and placed above the junior persons in the field of consideration:

Provided that all incumbents to be considered for promotion/confirmation shall possess the minimum qualifying service of at least three years or that prescribed in the relevant recruitment and promotion rules for the post whichever is less:

Provided further that where a person becomes ineligible to be considered for promotion/confirmation, on account of the requirement prescribed in the preceding proviso, the person(s) junior to him shall also be deemed to be ineligible for consideration for such promotion/confirmation.

11. The employees of all the public sector corporations and autonomous bodies who happened to be Government servants before absorption in public sector corporations/autonomous bodies at the time of initial constitution of such corporations/autonomous bodies, shall be allowed age-concession in direct recruitment as admissible to Government servants. This concession will not, however, be admissible to such staff of the public sector corporations/autonomous bodies who were later subsequently appointed by such corporation/autonomous bodies and are, were finally absorbed in the service of such corporations/autonomous bodies after the initial constitution of the public sector corporations/autonomous bodies.

12. The appointments to this service shall be subject to orders regarding reservation in the services for Scheduled Castes, Scheduled Tribes Backward Classes issued by the Himachal Pradesh Government from time to time.

1. **Departmental Examination.**—(i) Every member of the service shall pass a departmental examination as prescribed in the departmental examination rules within the probation period or within two years from the notification of these rules whichever is latter failing which he shall not be eligible to:—

- (a) Cross the Efficiency Bar next due;
- (b) Confirmation in the service; and
- (c) Promotion to the next higher post:

Provided that if a member becomes otherwise eligible for promotion, within the period mentioned above, he shall be considered for promotion and if otherwise found fit, shall be promoted provisionally subject to his passing the departmental examination. He may be reverted if he fails to pass the same:

Provided further that an officer who has qualified the departmental examination in whole or in part prescribed under any other rules before the notification of these rules, shall not be required to qualify the whole or in part of the examination as the case may be:

Provided further that an officer for whom no departmental examination was prescribed prior to the notification of these rules and who has attained the age of 45 years on the 1st of March, 1976, shall not be required to qualify the departmental examination prescribed under these rules.

(ii) An officer on promotion to a higher post in his direct line of promotion shall not be required to pass the departmental examination, if he has already passed the same in the lower gazetted post.

(iii) The Government may, in consultation with the Himachal Pradesh Public Service Commission, grant in exceptional circumstances and for reasons to be reduced to writing, exemption in accordance with the departmental examination rules, any class or category of persons from the departmental examination in whole or in part.

K. C. PANDEYA,
Chief Secretary.

HEALTH AND FAMILY WELFARE DEPARTMENT NOTIFICATION

Simla-171002, the 25th March, 1982

No. Health-A (3)-2/81-(A).—In exercise of the powers conferred by proviso to Article 309 of the Constitution of India and all other powers enabling him in this behalf and in consultation with the Himachal Pradesh Public Service Commission, the Governor, Himachal Pradesh, is pleased to make the following rules to amend the Himachal Pradesh Health Services Rules, 1974, notified vide this Department notification No. GSR/1-71/69-H&F, dated the 19th January, 1974 and subsequently amended, namely:—

1. **Short title and commencement.**—(1) These rules may be called the Himachal Pradesh Health Services (Twelfth Amendment) Rules, 1982.

(2) These rules shall come into force from the issue of this notification.

2. **Amendment to Rule 4.**—(1) In rule 4 of the Himachal Pradesh Health Services Rules, 1974 (hereinafter called the said rules, in table under heading (i) "General Wing" New serial number 5-A be added as under after existing serial No. 5, namely:—

"5A. **Dental Surgeon Grade I.**—Rs. 1400-60-1700/75-2000 plus NPA Class I" subject to the condition that pay plus NPA does not exceed Rs. 2400 p.m.

(2) In serial No. 7 the words "Dental Surgeons" shall be substituted by the words "Dental Surgeon Grade II".

(3) In the aforesaid table under heading "Teaching Wing" following serial number 6 shall be added after serial number 5, namely:—

"6. **Lecturers.**—Rs. 900-30-1000-40-1200/50-1400/60-1700-75-1850 plus NPA Class II" subject to the condition that pay plus NPA does not exceed Rs. 2300 p.m.

3. **Amendment to Rule 9 (6).**—In rule 9 (6) of the said rules, the words "Dental Surgeons" shall be substituted by the words "Dental Surgeons Grade II".

4. **Amendment to Rule 9 (7)—1. Lecturers.**—The post of Lecturer shall be filled in the following manner:—

- (i) 50% by appointment (by selection) from GDO II having post graduation degree or equivalent qualifications in the concerned speciality and having 3 years regular service.
- (ii) 50% by direct recruitment in the manner specified in the Second Schedule.

2. **Assistant Professors.**—A. The post of Assistant Professors in the specialities where there are no posts of Lecturers, shall be filled in as under:—

- (i) 50% by promotion from regular Demonstrators/Registrars having post graduation qualification, having 3 years regular service and three years teaching experience in the concerned speciality in Himachal Pradesh Medical College, failing which by GDO-II who possess postgraduation degree and three years teaching experience in the concerned speciality as Registrar/Demonstrator after post-graduation and have 3 years regular service as GDO-II, failing both by direct recruitment in the manner as specified in the Second Schedule.
- (ii) 50% by direct recruitment in the manner as specified in the Second Schedule.

B. The post of Assistant Professor in the specialities where posts of Lecturers have been provided, shall be filled as under:—

- (i) 50% by promotion from regular demonstrators having 3 years service with post-graduation qualification in the concerned speciality in Himachal Pradesh Medical College; and Lecturers having 3 years teaching experience as Lecturers/Demonstrators/Registrars after doing postgraduation in the concerned speciality in Himachal Pradesh Medical College, Simla;

Provided that for purpose of promotion, a combined seniority of eligible Demonstrators and Lecturers will be prepared based on length of service as such.

- (ii) 50% by direct recruitment in the manner as specified in the Second Schedule.

3. **Associate Professors.**—The post of Associate Professor shall be filled 100% by promotion from Assistant Professors having 3 years regular service as such in the concerned speciality, failing which by direct recruitment in the manner specified in the Second Schedule.

5. **Amendment to Rule 9 (9).**—For the existing provision under rule 9 (9) of the said rules, the following provisions shall be substituted, namely:—

"50% of the vacancies shall be filled in by promotion from Dental Surgeons Grade II having 3 years"

services in the post and possessing the post-graduation and 3 years teaching experience after postgraduation and on the recommendations of the Departmental Promotion Committee:

Provided that if Government is satisfied that a suitable candidate is not available for promotion, such posts shall be filled in by direct recruitment in the manner specified in the Second Schedule".

6. *Addition of New Rule 9 (11).*—After Rule 9(10) of the said rules, the following new rule 9 (11) shall be added, namely:—

9 (11) *Dental Surgeon Grade-I.*—The post of Dental Surgeon Grade-I shall be filled 100% by promotion from amongst the Dental Surgeon Grade-II having at least 5 years regular service and on the recommendations of the Departmental Promotion Committee on the basis of merit with due regard to seniority, failing which by direct recruitment in the manner specified in the Second Schedule.

7. *Deletion of rule 15 (4).*—The existing rule 15(4) of the said rule shall stand deleted.

8. *Amendment of Rule.*—(i) The words "Dental Surgeons" appearing in item (a) of rule 17 shall be substituted as "Dental Surgeons Grade-I and II".

(ii) After item (b) in Rule 17 the following item (c) shall be added, namely:—

(c) *Lecturers.*—The rate of NPA shall be 20% in the case of those having less than 10 years service and 37-1/2% in the case of those having 10 years and above subject to a maximum of Rs. 600 p.m.

9. *Amendment to First Schedule.*—(i) Items from 6 to 9 (Teaching side) of a First Schedule shall stand deleted and the following item at serial number 6 in the said schedule shall be added, namely:—

"6. Lecturers 13"

(ii) Item 6 in General side shall be read as follows:—

"6. Dental Surgeons Grade-II."

(iii) After item 7 (General side) a new item 8 shall be substituted, namely:—

"8. Dental Surgeons Grade-I—5"

10. *Amendment to Second Schedule.*—Entry against item a (iii) of Second Schedule of the said rules shall be substituted as "Dental Surgeons Grade-II".

11. *Amendment of Annexure 1 to Second Schedule.*—In Annexure 1 to the Second Schedule of the said rules, for item (iii) under column (3) against serial number 5, the following shall be substituted, namely:—

"(ii) At least 3 years teaching experience as Lecturer/Registrar/Demonstrator/Resident/Reader after doing post-graduation in the concerned speciality.

"(b) Against item No. 9 under column (3) of the said rules, the following shall be substituted, namely:—

"MDS should have worked as Registrar/Demonstrator or on an equivalent post for at least 3 years in a teaching institutions."

(c) The words "Dental Surgeon" appearing at serial number 11 of Annexure 1 shall be substituted by "Dental Surgeons Grade-II".

(d) After serial No. 11 of Annexure 1 to Second Schedule the following serial number 12 and 13 shall be added, namely:—

12. *Dental Surgeons Grade I.*—35 years and below (relaxable for Government servants)—

(i) B.D.S.

(ii) Having 5 years experience as Dental Surgeons.

13. *Lecturer.*—40 years and below (relaxable for Government servants).—

(i) A recognised medical qualification included in the First Schedule or Second Schedule of Part I of the Third Schedule (other than Licentiate qualifications) to the Indian Medical Council Act, 1956 as amended from time to time. Holders of educational qualifications included in Part II of the III Schedule should also fulfill the conditions stipulated in sub-section(s) of section 13 of the Indian Medical Council Act, 1956.

(ii) At least 3 years teaching experience in the concerned speciality as Registrar/Demonstrator/Tutor/Senior Resident/Chief Resident in the Medical College or Teaching Institutions.

(iii) A post graduation degree in the concerned speciality.

A. N. VIDYARTHI,
Secretary.

REVENUE DEPARTMENT NOTIFICATION

Simla-2, the 31st March, 1982

No. 4-11/75-Rev-D.—Whereas the Government of Himachal Pradesh, no longer requires at public expenses for a public purpose, the land specified herein below:—

Now, therefore in pursuance of section 48 of the Land Acquisition Act, 1894 and all other powers enabling him in this behalf, the Governor, Himachal Pradesh, is pleased to withdraw the land acquisition proceedings with respect to which a notification u/s 4 of the said Act under notification No. 24275/BPC (A) 356/62, dated 10-11-1964 was issued by the Himachal Pradesh Government for acquiring land for Reservoir Area for Beas Dam, in Tikka Haripur, H.B. No. 106 of village Haripur, Tehsil Dehra, District Kangra.

SPECIFICATION

District: KANGRA Tehsil: DEHRA
Village: Tikka Haripur of village Haripur.

Khasra No.	H.B. No.	Area in K. M.	Area in Acres
30/2	106	50 10	4.89

By order,
ANANG PAL,
Financial Commissioner.

भाग 4—स्थानीय स्वायत्त शासन: म्यूनिसिपल बोर्ड, डिस्ट्रिक्ट बोर्ड, नोटिफाइड और टाउन एरिया तथा पंचायती राज विभाग

शून्य

भाग 5—वैयक्तिक अधिसूचनाएं और विज्ञापन

In the Court of Shri S. S. Ahuja, District Judge, Kangra
at Dharamsala

Civil Appeal No. 250 of 1982

Smt. Bhasan Devi Versus Munshi Ram.

Versus: Raja Harmchindra Singh of Doda Siba, Tehsil Dehra, District Kangra.

Whereas in the above noted civil appeal it has been proved to the satisfaction of this court that the above named respondent is evading service and service upon him cannot be effected in an ordinary course.

Hence this proclamation is hereby issued against him that he should attend this court on or before 2-5-1983 at 10 A.M. failing which the case will be heard and disposed of *ex parte* against him.

Given under my hand and the seal of the court on 1st March, 1983.

Seal. S. S. AHUJA,
District Judge,
Kangra at Dharamsala.

In the Court of Shri S. S. Ahuja, District Judge, Kangra at Dharamsala

Succession Act Case No. 36 of 1982

1. Vinod Kumar s/o Shri Dhani Ram Sharma,
2. Brij Mohan s/o Shri Dhani Ram Sharma,
3. Miss Namrata, 4. Miss Sunila, 5. Miss Suman, all ds/o Shri Dhani Ram Sharma, all Minors, through their father Shri Dhani Ram Sharma, r/o village Dobh, Mauza Sihun, Tehsil and District Kangra, Himachal Pradesh .. Petitioners.

Versus

The General Public

Versus: The General Public.

Whereas in the above noted case, the petitioner has filed an application under section 372 of Indian Succession Act for the grant of Succession Certificate in respect of the assets of late Smt. Oma Devi w/o Shri Dhani Ram Sharma, r/o Village Dobh, Mauza Sihun, Tehsil and District Kangra, Himachal Pradesh who died on 3-9-1977.

Hence this proclamation is hereby issued to the General Public to file objections, if any, on or before 1-6-83 at 10 A.M. failing which the case will be heard and disposed of *ex parte*.

Given under my hand and the seal of the court of this the 5th day of March, 1983.

Seal. S. S. AHUJA,
District Judge,
Kangra at Dharamsala.

In the Court of Senior Sub-Judge, Kangra at Dharamsala, Himachal Pradesh

Civil Misc. Application No. 1 of 1983

Lal Singh etc. decree holders.

Versus

Makhani etc. Judgement debtors.

Versus:

Smt. Makhani Devi w/o Kirpa Ram, caste Rajput, r/o Mihal, Tehsil Dehra, District Kangra .. J.d. No. 1.

Application under section 151 C.P.C. for restoration of execution.

Whereas in the above noted case, it has been proved to the satisfaction of this court that service of J. D. No. 1 Smt. Makhani Devi cannot be procured through an ordinary way of service. Now this proclamation under Order 5, Rule 20, C.P.C. is hereby issued against her to appear in this court on 9-5-1983 at 10 A.M. at Dharamsala personally or through an authorised agent or pleader to defend the case, failing which *ex parte* proceeding will be taken against you.

Given under my hand and the seal of the court today the 26th February, 1983.

Seal. Sd/-
Senior Sub-Judge, Kangra
at Dharamsala (H.P.).

In the Court of Shri V. K. Ahuja, Senior Sub-Judge Mandi, District Mandi (H.P.)

Guardian and Ward Act case No. 14/1982

Smt. Kaushlya Devi wd/o Chema Singh Guardian, Shri Rakesh Pesar and Kumar, Tripta ss/o Chema Singh, r/o village Behala, Illaqa Pandol, Tehsil Joginder nagar, District Mandi, Himachal Pradesh ... Applicants.

Versus

General Public ... Respondents.

Application under Section 8 of the Hindu Minority and Guardianship Act, for permission to sell the shares of minor children of the applicant situated in Upper Suhra, Mandi, Himachal Pradesh.

Notice to:—

The general public.

Whereas the above named applicant has applied for grant of permission to sell the share of minors children of the applicant situated in Upper Suhra Mohalla Mandi, Himachal Pradesh.

Notice is hereby given to the general public, kinsmen, relation and other interested persons, that if any body has got any objection to the grant of permission to sell the land of the minor children namely Gita Devi and Rakesh, he may file objection in this court on 29-4-1983 failing which the application will be heard and decided *ex parte*.

Given under my hand and the seal of the court, this 4th day of March, 1983.

Seal. V. K. AHUJA,
Senior Sub-Judge,
Mandi, District Mandi (H.P.).

In the Court of Shri R. L. Sharma, Senior Sub-Judge, Una

Case No. 3/83

Raj Kumar s/o Nathu Ram, caste Brahmin, r/o Village Raipur, Tehsil Bangana, District Una .. Petitioner.

Versus

General Public.

Whereas in the above noted case petitioner has filed an application for grant of the succession certificate in respect of the estate of Nathu Ram s/o Pardhana, caste Brahmin, r/o village Raipur, Tehsil Bangana, District Una.

Notice is hereby issued to the general public, kinsmen and the relations of the deceased that if anybody has got any objection to the grant of succession certificate in favour of the petitioner may be filed in the court on or before 20-4-83 afterwards the petition will be heard *ex parte*.

Given under my hand and seal of the court today the 26th day of February, 1983.

Seal. R. L. SHARMA,
Senior Sub-Judge,
Una.

In the Court of Shri R. L. Sharma, Senior Sub-Judge, Una, Himachal Pradesh

Case No. 2/83, Succession Certificate

Krishan Dev Singh, (2) Karan Singh, (3) Kesar Singh ss/o Jeet Singh, r/o village Dulehar, Tehsil and District Una .. Petitioners.

Versus

General public, (2) Smt. Avtar Devi wd/o, (3) Kumari Neelam Devi daughter of Jeet Singh, r/o Village Dulchar, Tehsil and District, Una Respondents.

Whereas in the above noted case the petitioners have moved an application for grant of the succession certificate in respect of estate of Late Shri Jeet Singh, r/o Village Dulehar, Tehsil and District Una, Himachal Pradesh.

The notice is hereby given to the general public, kinsmen and the relations of the deceased that if any body has got any objection to the grant of succession certificate in favour of the petitioners may be filed in the court on or before 11-4-83 at 10 A.M. afterwards the petition will be decided *ex-parte*.

Given under my hand and seal of the court today the 26th day of February, 1983.

Seal. R. L. SHARMA,
Senior Sub-Judge,
Una, District Una (H.P.).

In the Court of Shri R. L. Sharma, Senior Sub-Judge,
Una, Himachal Pradesh

CASE NO. 367/1981

Nanak Chand vs Milkhi Ram and others.

Versus: Smt. Sheela w/o Jagdish, r/o village Besdera, Tehsil and District Una, Himachal Pradesh. Defendant.

Whereas in the above noted case it has been proved to the satisfaction of this court that the above noted defendant cannot be served through ordinary mode of service as the ordinary summons issued to her received back unserved. Hence proclamation under Order 5, Rule 20, C.P.C. is hereby issued against her to appear in this court on 27-4-1983 at 10.00 A.M. personally or through an advocate or authorised agent to defend the case, failing which *ex parte* proceedings shall be taken against her in accordance with law.

Given under my hand and the seal of the court this the 7th day of March, 1983.

Seal. R. L. SHARMA,
Senior Sub-Judge,
Una, H.P.

In the Court of Shri R. L. Sharma, Senior Sub-Judge,
Una, Himachal Pradesh

CASE NO. 453/1982

Fazal Din Versus Bawa Singh and others.

Versus

Bawa Singh s/o Dadhoo, 2. Ram Singh s/o Thakar Dass, caste Rajput, r/o village Bhanjal, Tehsil Amb, District Una, Himachal Pradesh Defendants.

Whereas in the above noted case it has been proved to the satisfaction of this court that the above noted defendants cannot be served through ordinary course of summons as the summons issued to them received back unserved. Hence proclamation under Order 5, Rule 20, C.P.C. is hereby issued against them to appear in this court on 18-4-1983 at 10.00 A.M. personally or through an advocate or authorised agent to defend the case, failing which *ex parte* proceeding shall be taken against them in accordance with law.

Given under my hand and the seal of the court this the 7th day of March, 1983.

Seal. R. L. SHARMA,
Senior Sub-Judge,
Una, H.P.

PROCLAMATION UNDER ORDER 5, RULE 20, C.P.C.

In the Court of Shri V. K. Gupta, Sub-Judge 1st Class,
Dehra, District Kangra (H. P.)

CIVIL SUIT No. 236/82

Hira Lal Vs. State of H. P.

To

1. Sant Ram s/o Rama, 2. Hira Lal s/o Sunka, 3. Prem Dass, 4. Badri Parsad s/o Sunka, 5. Onkar Singh, 6. Karam Singh s/o Lachhman, 7. Rikhi Ram s/o Sudama, 8. Partap Chand s/o Jodha, 9. Puran Chand, 10. Shakti Chand, 11. Hamir Chand, 12. Bali son of Gopala, resident of Ram Nagar, Mauza Thil, Tehsil Dehra, District Kangra (H.P.).

Whereas in the above noted case it has been proved to the satisfaction of this court that the above named defendants are evading the service of the summons and cannot be served in the normal course of service.

Hence this proclamation under Order 5, Rule 20, C. P. C. is hereby issued against the above named defendants to appear in this court on 16-4-1983 at 10.00 A.M. personally or through an authorised pleader or agent, failing which *ex parte* proceedings shall be taken against them.

Given under my hand and seal of the court to-day the 1st of March, 1983.

Seal. V. K. GUPTA,
Sub-Judge 1st Class, Dehra,
District Kangra (H.P.).

In the Court of Shri Jagmohan Singh Mahantan, Sub-Judge (2), Hamirpur (H.P.)

Civil Suit No. 96/1983

Sarvdyal Versus Raj Kumar.

Versus: Dev Raj s/o Jai Singh, residents of Tika Bagwara, Tapa Bamsan, Tehsil and District Hamirpur, Himachal Pradesh.

Whereas in the above noted case, the summons were issued to the above named defendants from this court but the same have received unserved. Now it has been proved to the satisfaction of this court that the above named defendants cannot be served through normal course of service.

Hence this proclamation under Order 5, Rule 20, C.P.C. is hereby issued against defendants to appear in this Court on 30-4-1983 at 10 A.M. personally or through an authorised pleader or agent failing which *ex parte* proceedings shall be taken against them.

Given under my hand and the seal of the court this 7th day of March, 1983.

JAGMOHAN SINGH MAHANTAN,
Seal. Sub-Judge (2),
Hamirpur (H. P.).

In the Court of Shri Jagmohan Singh Mahantan, Sub-Judge (2), Hamirpur, Himachal Pradesh

CIVIL SUIT No. 250 OF 1983

Shri Jhonphi Ram Versus Shri Ranu Ram.

Versus: 1. Saran Dass s/c Lehn, 2. Mehar Chand s/o Gorakh, 3. Madan Lal s/o Gorakh, 4. Piyar Chand s/o Gorakh, 5. Raj Mal s/o Gorakh, residents of Tikka Dhundla, Tappa Jangal Rajgir, Tehsil and District Hamirpur Defendants.

Whereas in the above noted case it has been proved to the satisfaction of this court that the above noted defendants cannot be served through ordinary course of

summons as the summons issued to them received back unserved. Hence proclamation under Order 5, Rule 20, C.P.C. is hereby issued against them to appear in this court on 2-4-1983 at 10.00 A.M. personally or through an advocate or authorised agent to defend the case, failing which *ex parte* proceedings shall be taken against them.

Given under my hand and the seal of the court this 10th day of March, 1983.

Seal. J. S. MAHANTAN,
Sub-Judge (2),
Hamirpur.

In the Court of Shri D. D. Sharma, Sub-Judge 1st Class,
Kangra, District Kangra

Civil Suit No. 153 of 1981

Gulabu Versus Mahlu.

Versus: Shri Mahlu s/o Shri Beli s/o Shri Ghelo, resident of Jhikli Kothi, Tehsil and District. Kangra. Defendant.

Whereas in the above noted case it has been proved to the satisfaction of this court that the above noted defendant is evading the service of the summons and cannot be served in the normal course of service.

Hence this proclamation is hereby issued against him to appear in this court on the date fixed for hearing on 24-5-1983 at 10 A.M. personally or through an authorised agent or pleader to defend the case failing which *ex parte* proceedings will be taken against him.

Given under my hand and the seal of this court on the 1st day of March, 1983.

Seal. D. D. SHARMA,
Sub-Judge 1st Class,
Kangra.

PROCLAMATION UNDER ORDER 5, RULE 20,
C.P.C.

In the Court of Shri Shamsheer Singh Sub-Judge 1st
Class, Palampur

CASE No. 189/1982

Shambhu Singh Vs. Ramesh Kumar.

Versus: (2) Shri Kuldeep Kumar s/o Shri Ram Dass Halwai, r/o Teeka Chamar Palaru, Mauza Lambagaon, Tehsil Palampur, District Kangra Himachal Pradesh.

Whereas in the above noted case, it has been proved to the satisfaction of this court that the above noted defendants are evading the service of the summons and cannot be served in the normal course of the service. Hence this proclamation, is hereby issued against them to appear in this court on the date of hearing fixed for 24-5-1983 at 10.00 A.M. personally or through an authorised agent or pleader to defend the case, failing which *ex parte* proceedings will be taken against them.

Given under my hand and the seal of the court this 2-3-1983.

Seal. SHAMSHER SINGH,
Sub-Judge 1st Class,
Palampur (Kangra), H.P.

PROCLAMATION UNDER ORDER 5, RULE 20, C.P.C.

In the Court of Shri Kundan Lal Sharma, Sub-Judge,
Sarkaghat, District Mandi (H.P.)

Case No. 32/80

Binia Ram s/o Shri Kahna, resident of Village Harwan, Illaqua Hattli, Tehsil Sarkaghat, District Mandi (H. P.) Plaintiff.

Versus

Shri Piar Chand s/o Shri Sudan Singh and others
Defendants.

To

Smt. Drompti d/o Saran
Smt. Damodari d/o Saran
Smt. Kranti d/o Saran
Smt. Durgi d/o Saran
Smt. Madran d/o Saran
Smt. Gaggi d/o Saran
Smt. Sarju wd/o Saraj
Shri Sudan s/o Saran

Proforma Defendants.

All Residents of Village Harwan, Illaqua Hattli, Tehsil Sarkaghat, District Mandi, (H.P.)

Whereas in the above noted case it has been proved to the satisfaction of this court that the above noted proforma defendants are evading the services of the summons and cannot be served in the normal course of service. Hence this proclamation is hereby issued against them to appear in this court on the date fixed for hearing on 20-4-83 at 10 A.M. personally or through an authorised agent or pleader to defend the case, failing which *ex parte* proceedings will be taken against them.

Given under my hand and the seal of the court today the 14th March, 1983.

Seal.

Seal/
Sub-Judge,
Sarkaghat, District Mandi,
Himachal Pradesh.

In the Court of Shri Devender Sharma Sub-Judge
II, Una, H.P.

CASE No. 89/1983

Partapa Vs. Hari Ram and others.

Versus: 1. Hari Kishore, 2. Shiv Kumar ss/o Kishan Chand, 3. Smt. Basanti wd/o Kishan Chand, caste Brahmins, Residents of Santokhgarh, Tehsil and District. Una Defendants.

Whereas in the above noted case it has been proved to the satisfaction of this court that the above noted defendants cannot be served through ordinary mode of service as the ordinary summons issued to them received back unserved. Hence proclamation under Order 5, Rule 20, C.P.C. is hereby issued against them to appear in this court on 28-5-1983 at 10.00 A.M. personally or through an advocate or authorised agent to defend the case, failing which *ex parte* proceedings shall be taken against them in accordance with law.

Given under my hand and the seal of the court this the 9th day of March, 1983.

DEVENDER SHARMA,
Sub-Judge-II,
Una, H.P.

Seal,

In the Court of Shri Inder Ram Sub-Judge 1st Class (I),
Una

C. S. No. 114 of 1982

Ram Lal Vs. Rana Ram.

वनाम: Pohllo Ram, (4), Tota Ram, (7) Daufat Ram ss/o Phalla Ram, (8) Chanchla Devi wd/o, (9) Manohar Lal, (10) Janak Raj ss/o Asa Ram, (11) Shankuntla Devi, Kishan Chand, r/o Band Bakshi Takoli Sohara Tehsil Amb, District Una. Defendants.

मुकदमा मुन्दरजा उनवान बाला में प्रतिवादीगण के नाम प्रदालत की तरफ से कई बार समन बराए परेकी मुकदमा जारी हुए परन्तु प्रतिवादीगण ताहान समन की तामील करने से मुरज करते चले आ रहे हैं। अब प्रदालत को पूरा यकीन हो चुका है कि प्रतिवादी-गण की तामील साधारण तरीका से होनी बहुत मुश्किल है, इसलिये

u/o 5, रूल 20, सी0पी0 सी0 के तहत इस्तहार जारी करके लिखा जाता है कि प्रतिवादीगण असालतन या वकालतन तिथि 24-5-1983 को सुबह 10 बजे हाज़िर अदालत होकर पैरवी मुकद्दमा करें, अदम हाज़री कार्रवाई यकतरफा अमल में लाई जावेगी।

प्राज्ञ तिथि 7-3-83 हमारे दस्तखत व मोहर अदालत में जारी हुआ।

मोहर। हस्ताक्षरित/-
सब-जज प्रथम श्रेणी, ऊना।

In the Court of Shri Inder Ram, Sub-Judge 1st
Class (1) Una
G. S. No. 14 of 1982

Paras Ram Vs. Narayan Dass.

बनाव:- (2) Om Parkash, (3) Kashmiri Chand, (4) Ved Parkash ss/o Rulia Ram, (7) Sheela Devi wd/o Mehar Chand, (8) Prem Lata d/o, (9) Palbinder Kumar s/o, (10) Rajesh Kumar ss/o Mehar Chand defendants 8 to 10 are minors through their real mother Sheela Devi, defendant No. 7 r/o Village Mairi, Tehsil Amb, District Una.

उपरोक्त मुकद्दमा मुन्दरजा उनवान वाला में प्रतिवादीगण के नाम अदालत की तरफ से कई बार समन बराए पैरवी मुकद्दमा जारी हुए परन्तु प्रतिवादीगण ताहाल समन की तामील करने से गुरेज करते चले आ रहे हैं। अब अदालत को पूरा यकीन हो चुका है कि प्रतिवादीगण की तामील साधारण तरीका से होनी बहुत मुश्किल है, इसलिए u/o 5, रूल 20, सी0पी0 सी0 के तहत इस्तहार जारी करके लिखा जाता है कि प्रतिवादीगण तिथि 24-5-83 को सुबह 10 बजे असालतन या वकालतन हाज़र अदालत होकर पैरवी मुकद्दमा करें, अदम हाज़री कार्रवाई यकतरफा अमल में लाई जावेगी।

प्राज्ञ तिथि 5-3-83 हमारे दस्तखत व मोहर अदालत में जारी हुआ।

मोहर। हस्ताक्षरित/-
सब-जज प्रथम श्रेणी, ऊना।

इस्तहार जेर आर्डर 5, रूल 20, सी0पी0 सी0

अदालत श्रीमती आशा स्वरूप, भा0 प्र0 से0, भूव्यवस्था समाहर्ता, कांगड़ा मण्डल स्थित धर्मशाला, हिमाचल प्रदेश

अपील नम्बर 551/एस0ओ0 तारीख फैसला: 15-10-82

बहुमुकद्दमा ध्यान सिंह बनाम गगन रिकलेमज प्राईवेट लिमिटेड बजरिया कुलदीप सिंह।

अपील बनाराजगी फैसला इन्तकाल नम्बर 1113 मुफ्तसला 23-7-82, मिनजानिव सहायक समाहर्ता, द्वितीय श्रेणी, वृत्त जसूर।

उपरोक्त उनवान मुकद्दमा वाला में प्रतिवादी गगन रिकलेमज प्राईवेट लिमिटेड लौधवा, तहसील नूरपुर बजरिया प्रबन्धक निदेशक श्री कुलदीप सिंह सुपुल श्री किशन सिंह, निवासी कोटली, तहसील पठानकोट, जिला गुरदासपुर को इसके घर के तथा लौधवा के पते पर कई बार समन जारी किए परन्तु या तो समन बिला तामील बापिस हुए या प्रतिवादी की ओर से तामील समन में आनाकानी होती रही। जिस से अदालत हजा को पूर्ण विश्वास हो चुका है कि प्रतिवादी पर आसानी से तामील होनी कठिन है।

अतः उक्त प्रतिवादी को इस्तहार जेर आर्डर 5, रूल 20, सी0पी0 सी0 के तहत सूचित किया जाता है कि वह मिति 11-4-83 को अदालत हजा में मुकाम धर्मशाला उपस्थित होकर पैरवी मुकद्दमा करें। अर हजरी की सूरत में कार्यवाही एक तरफा अमल में लाई जावेगी।

यह इस्तहार प्राज्ञ मिति 2-3-83 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

आशा स्वरूप, भूव्यवस्था समाहर्ता, कांगड़ा मण्डल स्थित धर्मशाला, हिमाचल प्रदेश

अदालत तहसीलदार व अख्तियारत सहायक समाहर्ता प्रथम श्रेणी, बडसर

सालीग्राम बनाम नच्छमण सिंह बगैरा उनवान:- दरखास्त तकसीम अराजी मुन्दरजा खाता नं0 37 खतोनी नम्बरान 48 ता 51 खमरा किता 13 रकबा 31 कनाल 19 मरले जमई 2.80 P. अन्सार जमावन्दी 1973-74 बाक्या टीका कनवाल, तथा डटवान, तहसील बडसर, जिला हमीरपुर (हि0 प्र0)।

नोटिस बनाम:- नच्छमण सिंह, 2. नसीब सिंह पितरान गद्दी, 3. परमानन्द, 4. सुख राम पितरान लाला, 5. मुकदम 6. बाबू पितरान बरड़, साकनान टीका कनवाल, तथा डटवान, तहसील बडसर, जिला हमीरपुर (हि0 प्र0)।

मुकद्दमा उपरोक्त उनवान वाला में उपरोक्त नच्छमण सिंह बगैरा को कई बार समन जारी किये गये मगर उनकी तामील जानता नहीं हो रही है अतः अब इस्तहार द्वारा उन्हें सूचित किया जाता है कि वह पैरवी मुकद्दमा असालतन व वकालतन हमारे न्यायालय हजा में तिथि 5-4-83 को सुबह 10 बजे हाज़िर आवें। वसूरत दीगर कार्रवाई जान्ता अमल में लाई जावेगी।

प्राज्ञ तिथि 8-3-83 को हमारे हस्ताक्षर व मोहर अदालत में जारी हुआ।

मोहर। हस्ताक्षरित/-
सहायक समाहर्ता, प्रथम श्रेणी, बडसर, जिला हमीरपुर।

कार्यालय सब-रजिस्ट्रार (नायब-तहसीलदार) घुमारवीं, जिला बिलासपुर, हिमाचल प्रदेश

लाल चन्द बनाम ग्राम जनता दरखास्त: बसीयत रजिस्ट्रेशन।

नोटिस बनाम: श्रीमती सीमीती विधवा प्रिथी, जाति राजपूत, गांव डुमखर, डा0 व तहसील बगाणा, तथा हीरू, जिला ऊना, हिमाचल प्रदेश।

बहुमुकद्दमा उनवान वाला में बजरिया अखवार इस्तहार सूचित किया जाता है कि वे दिनांक 31-3-83 को प्रातः दस बजे ब मुकाम सब-रजिस्ट्रार घुमारवीं के असालतन व वकालतन हाज़र होकर पैरवी मुकद्दमा करें अन्यथा उनके खिलाफ एक तरफा कार्यवाही अमल में लाई जावेगी। तिथि मुकद्दमा के बाद कोई उबर या एतराज नहीं सुना जावेगा।

प्राज्ञ हमारे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर। हस्ताक्षरित/-
सब-रजिस्ट्रार (नायब तहसीलदार), घुमारवीं, जिला बिलासपुर, हि0 प्र0।

कार्यालय सब-रजिस्ट्रार (नायब-तहसीलदार) घुमारवीं, जिला बिलासपुर, हिमाचल प्रदेश

श्री रोशन लाल पुत्र श्री सुख राम, जाति बाह्यान, निवासी सुल्हाण, तहसील घुमारवीं, जिला बिलासपुर, हिमाचल प्रदेश प्राथी।

बनाम 1. ग्राम जनता 2. दरखास्त बसीयत रजिस्ट्रेशन। नोटिस बनाम: 1. श्रीमती विधवा: मुरमूर 2. सीमा देवी पुत्री 3. सुख राम 4. राम सुल्हाण, परबवा सरयू, तहसील घुमारवीं, जिला बिलासपुर, हिमाचल प्रदेश।

ब मुकदमा उत्तान बाला में बजरिया अखबार इस्तहार सूचित किया जाता है कि वे दिनांक 31-3-83 को प्रातः 10 बजे बमुकाम सब-रजिस्ट्रार घुमारवीं के असातन व बकालतन हाजर होकर पैरवी मुकदमा करें अन्यथा उनके खिलाफ कार्यवाही एकतरफा अमल में लाई जावेगी। तथिथ मुकर्र के बाद कोई उजर या एतराज नहीं सुना जावेगा।

आज हमारे हस्ताक्षर व मोहर अदालत से जारी हुआ।

हस्ताक्षरित/-
मोहर। सब-रजिस्ट्रार (नायब-तहसीलदार),
घुमारवीं, जिला बिलासपुर, हिमाचल प्रदेश।

कार्यालय सब-रजिस्ट्रार (नायब-तहसीलदार) घुमारवीं, जिला बिलासपुर, हिमाचल प्रदेश

शोभा बनाम ग्राम जनता
दरखास्त वसीयत रजिस्ट्रेशन

नोटिस बनाम:- राधा देवी पत्नी श्री बसन्ता, निवासी डंगार, परगना अजमेरपुर, तहसील घुमारवीं, जिला बिलासपुर, हिमाचल प्रदेश।

ब मुकदमा उत्तान बाला में बजरिया अखबार इस्तहार सूचित किया जाता है कि वे दिनांक 30-3-83 को प्रातः दस बजे बमुकाम सब-रजिस्ट्रार घुमारवीं के असातन या बकालतन हाजर होकर पैरवी मुकदमा करें अन्यथा उनके खिलाफ कार्यवाही एकतरफा अमल में लाई जावेगी। तथिथ मुकर्र के बाद कोई उजर या एतराज नहीं सुना जावेगा।

आज हमारे हस्ताक्षर व मोहर अदालत से जारी हुआ।

हस्ताक्षरित/-
मोहर। सब-रजिस्ट्रार (नायब-तहसीलदार), घुमारवीं,
जिला बिलासपुर, हिमाचल प्रदेश।

इस्तहार जेर दफा 5, रूल 20, जान्ता दीवानी

बमदालत जनाब सब-रजिस्ट्रार (एन.टी.0) घुमारवीं, जिला बिलासपुर, हिमाचल प्रदेश

1. रोगन लाल, 2. अमरनाथ पुत्रान राम, जाति ब्राह्मण, मकना गांव दाड़ी भतेइवां, परगना तिऊन, तहसील घुमारवीं, जिला बिलासपुर, हिमाचल प्रदेश।

बनाम

1. ग्राम जनता
2. श्रीमती बहमी देवी पत्नी जगदीश, निवासी गांव पदयान, परगना अजमेरपुर, तहसील घुमारवीं, जिला बिलासपुर, हिमाचल प्रदेश।

दरखास्त वसीयतनामा तारीखी 12-1-1983 अन्तर्गत धारा 40-41 रजिस्ट्रेशन ऐक्ट।

इस्तहार

बनाम

ग्राम जनता

श्रीमान रोगन लाल व अमर नाथ पुत्रान राम ने एक दरखास्त तमदीक वसीयतनामा जेर धारा 40-41 आई0 धारा 0 ए0 के तहत इस अदालत में गंजार रखी है। यह वसीयत राम पुत्र श्री चौधरी ने लिखवाई है। जिसकी तारीख पेशी 30-3-83 मुकर्र की गई है। अगर किसी को इस वसीयत में तमदीक कराने में कोई उजर/एतराज हो तो मिति 30-3-83 को सुबह 10 बजे असातन व बकालतन हाजर होवे। गैर हाजरी की मूल में आपके खिलाफ एक पक्षीय कार्यवाही अमल में लाई जावेगी तथा इसके बाद आपका कोई एतराज काबिले समायत नहीं होगा।

आज दिनांक 28-2-83 को हमारे हस्ताक्षर व मोहर सब-रजिस्ट्रार अदालत घुमारवीं से जारी हुआ।

हस्ताक्षरित/-
सब-रजिस्ट्रार,
घुमारवीं, जिला बिलासपुर, हिमाचल प्रदेश।
मोहर।

इस्तहार जेर दफा 5, रूल 20, जान्ता दीवानी।

रत्न लाल पुत्र मोर राम, गांव छतर (बरोटा), परगना अजमेरपुर, तहसील घुमारवीं, जिला बिलासपुर, हिमाचल प्रदेश।

विशन दास पुत्र मोर राम, गांव छतर (बरोटा), परगना अजमेरपुर तहसील घुमारवीं, जिला बिलासपुर, हिमाचल प्रदेश।

बनाम

(1) गोरु देवी पत्नी श्री शंकर राम, गांव बनोह, डारुवर डुमहर, तहसील अर्की, जिला शिमला, (2) फुलम देवी पत्नी श्री लौका राम, गांव तनया, डाकखाना तनया, तहसील घुमारवीं, हिमाचल प्रदेश, (3) निकी देवी बेवा पालू राम, गांव कोट, डाकखाना हरवाड़, तहसील घुमारवीं, जिला बिलासपुर हि0 प्र0 (4) मगर देवी पत्नी श्री टीडू राम, गांव डंगार, डाकखाना डंगार, तहसील घुमारवीं, जिला बिलासपुर, हिमाचल प्रदेश, (5) मोर राम सुपुत्र सुन्दर राम, और (6) चूडी देवी बेवा सुन्दर राम, गांव छतर (बरोटा), तहसील घुमारवीं, जिला बिलासपुर, हिमाचल प्रदेश।

ग्राम जनता।

आप को बजरिया इस्तहार द्वारा सूचित किया जाता है कि आप को कई बार समन भी किए गए कि मृतक सुन्दर राम, गांव छतर (बरोटा), परगना अजमेरपुर, तहसील घुमारवीं, जिला बिलासपुर, हिमाचल प्रदेश वाले ने अपनी जमीन-जायदाद की वसीयत अपने पोतों विशन दास व रत्न लाल के नाम करवा दी है। अब वसीयत रजिस्ट्री होनी है। यदि आप को इसमें कोई उजर/एतराज हो तो अदालत में 31-3-83 को अपना उजर पेश करें। वरना गैर हाजरी पर एक तरफा कार्यवाही अमल में लाई जावेगी।

हस्ताक्षरित/-
मोहर। सब-रजिस्ट्रार,
घुमारवीं, जिला बिलासपुर, हिमाचल प्रदेश।

बमदालत जनाब सब-रजिस्ट्रार (नायब-तहसीलदार) साहिब, घुमारवीं, जिला बिलासपुर, हिमाचल प्रदेश

(1) सीता राम पुत्र गोविन्द राम, गांव तनीपूर, परगना गेहड़वीं, तहसील घुमारवीं, जिला बिलासपुर, हिमाचल प्रदेश।

(2) शोला देवी पत्नी सीता राम, गांव तनीपूर, परगना गेहड़वीं, तहसील घुमारवीं, जिला बिलासपुर, हिमाचल प्रदेश। प्राथमिक।

बनाम

इस्तहार जेर दफा 5, रूल 20, जान्ता दीवानी

1. ग्राम जनता।

2. श्रीमती कला देवी पुत्री श्री गोविन्द राम, मोजा तनीपूर, हाल आबाद कला देवी पत्नी बरडू राम, साकन परवाण, परगना गेहड़वीं, तहसील घुमारवीं, जिला बिलासपुर, हिमाचल प्रदेश।

3. क्रोधू देवी पुत्री गोविन्द पत्नी शंकर दास, गांव डोह्य, परगना बसेह, तहसील घुमारवीं, जिला बिलासपुर, हिमाचल प्रदेश।

4. कला देवी पुत्री गोविन्द पत्नी प्रेम लाल, गांव भदोल, परगना बसेह, तहसील घुमारवीं, जिला बिलासपुर, हिमाचल प्रदेश।

5. चेत राम पुत्र गोविन्द, साकन तनीपूर, 6. सुन्दर राम पुत्र गोविन्द साकन तनीपूर, 7. अगत राम पुत्र गोविन्द, साकन तनीपूर, परगना गेहड़वीं, तहसील घुमारवीं, जिला बिलासपुर, हिमाचल प्रदेश।

दरखास्त वसीयत नामा रजिस्ट्रार अन्तर्गत धारा 40-41 हिमाचल प्रदेश रजिस्ट्रेशन ऐक्ट।

इशतहार

बनाम

ग्राम जनता

श्री सीता राम शीला देवी सायलान साकन तनपुर, परगना गेहड़वी, तहसील घुमारवीं, जिला बिलासपुर, हिमाचल प्रदेश वालों ने एक दख्खवास्त तसदीक वसीयतनामा जेर दफा 40-41 आई0 आर0 ए0 के तहत इस अदालत में गुजार रखी है जिस की तारीख पेशी दिनांक 30-3-83 है। अगर किसी को भी इस वसीयत तसदीक करवाये जाने में कोई एतराज हो तो दिनांक 30-3-83 को सुबह 10 बजे अमालतन या वकालतन हाजिर अदालत आवे। इस इशतहार द्वारा आप को यह भी सूचित किया जाता है कि अगर आप उपरोक्त तारीख पर हाजिर अदालत न आवेंगे तो आप के खिलाफ एक पक्षीय कार्यवाही अमल में लाई जावेगी तथा इस के बाद आप का कोई एतराज काबिले समायत न होगा।

आज दिनांक 1-3-83 को हमारे हस्ताक्षर व मोहर सब-रजिस्ट्रार अदालत से जारी हुआ।

मोहर।

हस्ताक्षरित/-

सब-रजिस्ट्रार,

घुमारवीं, जिला बिलासपुर, हिमाचल प्रदेश।

इशतहार जेर दफा 5, रूल 20, जान्ता दीवानी

बध्दालत जनाब सब-रजिस्ट्रार (एन0टी0) महोदय, घुमारवीं, जिला बिलासपुर, हिमाचल प्रदेश

कमला देवी पुत्री रूआलु राम, निवासी ग्राम क्यारी, परगना तिऊन, तहसील घुमारवीं, जिला बिलासपुर, हिमाचल प्रदेश आदि .. सायल।

बनाम

ग्राम जनता

रत्न लाल पुत्र रूआलु, गांव क्यारी, परगना तिऊन, तहसील घुमारवीं, जिला बिलासपुर, हिमाचल प्रदेश।

दरख्वास्त वसीयतनामा रजिस्टर अन्तर्गत धारा 40-41 हिमाचल प्रदेश रजिस्ट्रेशन ऐक्ट।

इशतहार

बनाम

ग्राम जनता

2. रत्न लाल पुत्र रूआलु राम, गांव क्यारी, परगना तिऊन, तहसील घुमारवीं, जिला बिलासपुर, हिमाचल प्रदेश।

श्रीमती कमला देवी पुत्री रूआलु ने एक दरख्वास्त तसदीक जेर वसीयतनामा जेर धारा 40-41 आई0 आर0 ए0 के तहत इस अदालत में गुजार रखी है। यह वसीयत श्रीमती अजुध्या देवी पत्नी रूआलु राम ने लिखवाई है। जिसकी तारीख पेशी 31-3-83 मुकरर की गई है। अगर आप को इस वसीयत में तसदीक करवाने में कोई उजर हो तो मिति 31-3-83 को सुबह 10 बजे असालतन या वकालतन हाजिर होवें तब ही हाजरी की सूरत में आपके खिलाफ एक पक्षीय कार्यवाही अमल में लाई जावेगी। तथा इसके बाद आप का कोई एतराज काबिले समायत न होगा।

आज दिनांक 26-2-83 को हमारे हस्ताक्षर व मोहर सब-रजिस्ट्रार अदालत से जारी हुआ।

मोहर।

हस्ताक्षरित/-

सब-रजिस्ट्रार,

घुमारवीं, जिला बिलासपुर, हिमाचल प्रदेश।

बध्दालत जनाब सब-रजिस्ट्रार, कांगड़ा।

बमुकद्मा दरख्वास्त जेर धारा 40-41 ऐक्ट रजिस्ट्रेशन 1908 बराय रजिस्ट्री करवाने वसीयत नामा कमला देवी बेवा हरबन्स राज, वासी धोड़व, तहसील कांगड़ा।

सर्व जनता

बनाम

बमुकद्मा उनवान बाना में हर खाम व ग्राम को सूचित किया जाता है कि श्री मुरेन्द्र कुमार पुत्र हरबन्स लाल, वासी बागा, मौजा धोड़व, तहसील कांगड़ा ने दरख्वास्त जेर धारा 40-41 ऐक्ट रजिस्ट्रेशन 1908 बराय रजिस्ट्री करवाने वसीयतनामा उपरोक्त अदालत हुआ में दी है अतः किसी मनुष्य को इस वसीयतनामा की रजिस्ट्री होने में कोई उजर हो तो वह मिति 7-4-83 को अमालतन या वकालतन हाजिर बमुकाम कांगड़ा सुबह 10 बजे आकर करे। हमारे हस्ताक्षर व मोहर से 5-3-83 को जारी हुआ।

मोहर

हस्ताक्षरित/-

सब-रजिस्ट्रार,
कांगड़ा, हिमाचल प्रदेश।

बध्दालत जनाब सब-रजिस्ट्रार-अभ-तहसीलदार, कांगड़ा

नं0 मुकद्मा.....198

दरख्वास्त जेर धारा 40-41 रजिस्ट्रेशन ऐक्ट 1908 बराय रजिस्ट्री करवाने वसीयतनामा तकसीम कर्दा मिन जानब श्री फतेह सिंह पुत्र मन्न राम, वासी भनाला।

बनाम

सर्व जनता

बमुकद्मा उनवान बाला में श्री बलबीर सिंह पुत्र फतेह सिंह, वासी भनाला, तहसील व जिला कांगड़ा।

दरख्वास्त जेर धारा 40-41 रजिस्ट्रेशन ऐक्ट बराय करवाने वसीयत नामा उपरोक्त बध्दालत हुआ दी है अतः वध्दालत नोटिस सर्वजनता को सूचित किया जाता है कि अगर किसी मनुष्य को इस वसीयत को रजिस्ट्री होने में कोई उजर हो तो वह अमालतन या वकालतन मिति 31-3-83 को आकर उजर करें। तिथि 5-3-83.

मोहर।

हस्ताक्षरित/-

सब-रजिस्ट्रार,
कांगड़ा, हिमाचल प्रदेश।

बध्दालत जनाब सब-रजिस्ट्रार, कम-नाईव तहसीलदार, कांगड़ा

मुकद्मा नम्बर

ग्राफ 1982

सर्व श्री प्रशोतम चन्द, मोहर सिंह, देस राज पुत्र झड़ू राम पुत्र रोझा राम, वासी भाटी, मौजा सकोहट, तहसील कांगड़ा .. प्रार्थी।

बनाम

सर्व जनता

.. प्रत्यार्थी।

दरख्वास्त: बाबत रजिस्टर करवाने वसीयत नामा जेर धारा 40/41 भारतीय रजिस्ट्रेशन ऐक्ट, 1903 हेतु।

मुकद्मा मन्दर्जा उनवान बाला में हर खास व ग्राम को सूचित किया जाता है कि सर्वश्री प्रशोतम चन्द वगैरा सायलान मजकूरान ने मिति 11-11-1982 को इस कार्यालय में दरख्वास्त दी है कि श्री लछो पुत्र सोभा राम, जाति धिर्क, टोका पुनद, मौजा बलोल, तहसील कांगड़ा ने एक वसीयत नामा बहक प्रार्थी के नाम की जावे जिस की तारीख पेशी 11-4-83 को इस अदालत में रखी गई, यदि इस सम्बन्ध में किसी को किसी किस्म का उजर या एतराज हो तो वह उपरोक्त तारीख को असालतन या वकालतन हाजिर अदालत 10 बजे आ कर पेश कर सकता है। इसके बाद कोई उजर काबिल समायत न होगा अन्यथा गैर हाजरी में वसीयत पंजीकृत कर दी जायेगी।

आज तारीख 28-2-1983 मोहर अदालत व मेरे हस्ताक्षर से जारी किया गया।

हस्ताक्षरित/-

सब-रजिस्ट्रार-कम-नाईव तहसीलदार,
कांगड़ा।

मोहर

ब. प्रदालन जन. व. म. व. रजिस्ट्रार-कम-नाईब तहसीलदार, कांगड़ा

मुकदमा नम्बर

आफ 1982

श्रीमती चिन्तू देवी बेवा श्री फाण्डी राम पुत्र लच्छमन व श्री विनय दाम पुत्र फाण्डी राम पुत्र लच्छमन वासी थाना वरणा, तहसील व जिला कांगड़ा प्रार्थीगण।

बनाम

म. व. जन. व.

प्रत्यार्थी।

दरखस्त बाबत रजिस्ट्रार कार्यालय बजौरा नामा जेर धारा 40/41 भारतीय रजिस्ट्रेशन ऐक्ट, 1903 केतु।

मुकदमा मुद्दा उनवान वाला में हर खान व आम को सूचित किया जाता है कि श्रीमती चिन्तू देवी व श्री फाण्डी राम पुत्र लच्छमन पुत्र घोना, जाति विधवा, वासी थाना वरणा, तहसील कांगड़ा ने एक वसीयत नामा बहक प्रार्थीगण के नाम को जावे। जिस को नारीब केशी 26-4-83 को इस प्रदान में रखी गई यदि इस मस्युदा में किसी को किसी हिस्से का उतर या एतराज हो तो वह उपरोक्त नारीब को प्रदानन या बहालन हाजिर प्रदान 10 बजे अ. हर पेश कर सकता है। इसके बाद कोई उतर काबिन समामत न होगा अन्यथा गैर-हाजरी में वसीयत पंजीकृत कर दी जावेगी।

आज दिनांक 26-2-83 को मोहर प्रदान व मेरे हस्ताक्षर से जारी किया गया।

मोहर।

हस्ताक्षरित/-

म. व. रजिस्ट्रार-कम-नाईब तहसीलदार, कांगड़ा।

ब. प्रदालन श्री सी० एस० परमार, सहायक समाहर्ता, प्रथम वर्ग, नानागढ़, जिला मोलन, हिमाचल प्रदेश

मिमल नं० 10/76

श्रीमती मोना बिधवा केशवा नन्द, साकन मनपुर, परगना धर्मपुर, तहसील नानागढ़ ... वादी।

बनाम

1. श्रीमती लाजा बिधवा, 2. रविदत्त पुत्र मदन गोपाल, 3. मोहन लाल पुत्र दया कर्ण, 4. मानीग राम पुत्र बीर, साकन मनपुर, तहसील नानागढ़ ... प्रतिवादीगण।

नोटिस बनाम:—लाजा बिधवा, रविदत्त पुत्र मदन गोपाल व मानीग राम पुत्र बीर, साकन मनपुर, परगना धर्मपुर, तहसील नानागढ़, जिला मोलन, हिमाचल प्रदेश।

उपरोक्त मुकदमा उनवान वाला में फरीक दोयम को कई बार इस न्यायालय में समन भेजे गये परन्तु समन द्वारा इन फरीक दोयम को तामील न हो सकी जिस पर प्रदान को पूर्ण विश्वास हो चुका है कि फरीक दोयम को साधारण तरीका से तामील नहीं हो सकती है अतः बजरिया ईशतहार द्वारा सूचित किया जाता है कि वह दिनांक 4-4-1983 को प्रातः 10 बजे प्रदान व बहालन हाजिर प्रदान मुकदमा तहसील की पैरवी करें और हाजरी को सुरत में कार्यवाही एक तरफा प्रमल में लाई जावेगी।

आज दिनांक 4-3-83 को मेरे हस्ताक्षर तथा मोहर प्रदान से जारी किया गया।

मोहर।

सी० एस० परमार,

सहायक समाहर्ता, प्रथम श्रेणी, नानागढ़, जिला मोलन, हिमाचल प्रदेश।

न्यायालय श्री मोती राम शर्मा A.C. 1st grade (तहसीलदार) सरकाघाट, जिला मण्डी (हिमाचल प्रदेश)

मिम नं० 5/6-1-82

ब. मुकदमा:-

चैनु उप-नाम चैन सिंह पुत्र गोबिन्द पुत्र गुगाऊ, निवासी टकरेहड़, इलाका सन्धोल, उप-तहसील सन्धोल, तहसील सरकाघाट, जिला मण्डी, हिमाचल प्रदेश ... प्रार्थी।

बनाम

1. बू. सुनु गोबिन्द पुत्र गुगाऊ, 2. धर्मचन्द पुत्र नाबालिम, 3. मोना बिधा हरीमल पुत्र गोबिन्द सरप्रस्त धर्मचन्द नाबालिम, 4. मेहरचन्द, 5. मोहन, 6. मेना राम, 7. बीरू पुत्र, 8. कलासा पुत्री, व 9. श्रीमती रमा बिधा सरदार पुत्र जबाहर, 10. बाली पुत्र ताहर, पुत्र गुगा, निवासी टकरेहड़, इलाका सन्धोल उप तहसील सन्धोल, तहसील सरकाघाट, जिला मण्डी (हिमाचल प्रदेश) ... फरीक दोयम।

प्रार्थना पत्र तहसील भूमि वाकम मुहाल टकरेहड़ खाता खतौनी नं० 122/227 ता 29 दिना 51 रकबा ता 0 0-78-84 है 0 वाकम मुहाल टकरेहड़।

उपरोक्त मुकदमा तहसील में फरीक दोयम को कई बार न्यायालय से समन जारी हुए लेकिन उन पर तामील समन नहीं हो रही है। न्यायालय हुआ को भी विश्वास हो चुका है कि फरीक दोयम पर तामील समन साधारण तरीका से लाई जानी असम्भव है। अतः उपरोक्त समस्त फरीक दोयम को बजरिया ईशतहार द्वारा सूचित किया जाता है कि वह दिनांक 5-4-1983 समय 10 बजे सुबह प्रदान व बहालन हाजिर न्यायालय हुआ होकर पैरवी मुकदमा करें अन्यथा कार्यवाही जाव्या प्रमल में जावेगी।

आज दिनांक 7-3-1983 को हस्ताक्षर हमारे और मोहर न्यायालय से जारी हुआ।

मोहर।

मोती राम शर्मा,

सहायक समाहर्ता, प्रथम श्रेणी, सरकाघाट, जिला मण्डी, हिमाचल प्रदेश।

न्यायालय श्री मोती राम शर्मा, ए०सी०, सैकिण्ड ग्रेड, सरकाघाट, जिला मण्डी, हिमाचल प्रदेश

मिम नं० 47/22-7-80.

ब. मुकदमा:

मंगन राम पुत्र मंगल, जाति हरिजन, निवासी झड्यार, ई० अनन्तपुर प्रार्थी।

बनाम

1. बाला राम, 2. सन्त राम पुत्र, 3. श्रीमती शिव देई बिधवा श्यामा पुत्र घेशल, निवासी झड्यार, ई० अनन्तपुर ... प्रतिवादीगण।

प्रार्थना-मन वर्ज सेहत फरमाए जाने गिरदावरी में बवजह व० जा पुराना ख० ख० नं० 4 मिन/18 मिन नं० ख० 783 रकबा ता० 0-01-66 ह० वाकम मुहाल झड्यार।

उपरोक्त मुकदमा में फरीक दोयम को कई बार न्यायालय हुआ से समन जारी हुए लेकिन उन पर तामील समन नहीं हो रही है तथा न्यायालय हुआ को भी विश्वास हो चुका है कि उन पर साधारण तरीका से तामील समन होना असम्भव है। अतः समस्त उपरोक्त फरीक दोयम को बजरिया ईशतहार द्वारा सूचित किया जाता है कि वह दिनांक 18-4-83 समय 10 बजे सुबह या उसके बाद एक महीने के अन्दर-अन्दर हाजिर न्यायालय हुआ होकर पैरवी मुकदमा करें अन्यथा उनके विरुद्ध कार्यवाही एक तरफा प्रमल में लाई जावेगी।

हस्ताक्षर हमारे और मोहर न्यायालय से आज दिनांक 10-3-83 को जारी हुआ।

मोहर।

मोती राम शर्मा,

ए० सी०, सैकिण्ड ग्रेड, सरकाघाट, जिला मण्डी।

PROCLAMATION U/O 5, RULE 20, C.P.C.

न्यायालय सहायक समाहर्ता, द्वितीय श्रेणी, मण्डी, तहसील सदर,
जिला मण्डी, हिमाचल प्रदेश

मुकद्दमा नं०

प्रनर सिंह सुपुत्री श्री चैतु राम, निवासी सबली खड्ड, मुहाल
चड़याना, तहसील सदर, जिला मण्डी, हिमाचल प्रदेश . . . आयन।

बनाम

म० मालनु सुपुत्री श्री शंकर, सड़ना सबली खड्ड, मुहाल चड़याना,
तहसील सदर, जिला मण्डी, हिमाचल प्रदेश फरीक दोयम।

Application u/ss. 5, 35 to 38 of Himachal Pradesh Land
Revenue Act, for correction of Khasra Girdawari entries.

बनामः

म० मालनु सुपुत्री श्री शंकर, सड़ना सबली खड्ड, मुहाल चड़याना,
तहसील सदर, जिला मण्डी, हिमाचल प्रदेश।

उपरोक्त मुकद्दमा उनवान वाला में फरीक दोयम को कई बार इस
न्यायालय से समन जारी किये गये परन्तु उसकी तामील नहीं हो रही
है। जिस कारण इस न्यायालय को यह विश्वास हो चुका है कि फरीक
दोयम की तामील साधारण ढंग में होनी सम्भव है। अतः उपरोक्त
फरीक दोयम को इस इशतहार द्वारा सूचित किया जाता है कि वह
दिनांक 4-4-1983 को न्यायालय हुआ में अनालतन या बकालतन
हाजिर होकर मुकद्दमा की पैरवी करे। अन्यथा कार्यवाही एक तरफ
अमल में लाई जाकर मुकद्दमा का निर्णय कर दिया जायेगा।

आज दिनांक 25-2-1983 को मेरे हुतावर व मोहर न्यायालय
द्वारा जारी किया गया।

हुतावरित/-

मोहर।

सहायक समाहर्ता, द्वितीय श्रेणी,
मण्डी, तहसील सदर, जिला मण्डी, हिमाचल प्रदेश।

भाग 6—भारतीय राजपत्र इत्यादि में से पुनः प्रकाशन

शून्य

भाग 7—भारतीय निर्वाचन आयोग (Election Commission of India) की वैधानिक अधिसूचनाएं तथा
अन्य निर्वाचन सम्बन्धी अधिसूचनाएं

ELECTION DEPARTMENT

NOTIFICATION

Shimla-171002, the 19th February, 1983

No. 3-26/82-ELN.—The Election Commission of
India's Notification No. 82/HP-LA/(11/82)/82, dated the
3rd February, 1983 corresponding to Magha 14, 1904
(Saka) containing the judgement dated the 28th December,
1982, of the High Court of Himachal Pradesh at
Shimla in Election Petition No. 11 of 1982, is hereby
published for general information.

By order,
S. M. KANWAR,
Chief Electoral Officer,
Himachal Pradesh.

ELECTION COMMISSION OF INDIA

Nirvachan Sadan,
Ashoka Road, New Delhi-1.
3rd February, 1983

Dated—
14 Magha, 1904 (S)

NOTIFICATION

No. 82/HP-LA (11/82)/82.—In pursuance of section
106 of the Representation of the People Act, 1951, the
Election Commission hereby publishes the judgement
dated the 28th December, 1982, of the High Court of
Himachal Pradesh, Simla, in Election Petition No. 11
of 1982.

भारत निर्वाचन आयोग

महोदय मार्ग, नई दिल्ली-110001
3 फरवरी, 1983

तारीख—
माघ 14, 1904 (शक)

अधिसूचना

संख्या 82/हि० प्र०-बी० सं०-(11/82)/82.—लोक प्रतिनिधि-
त्व अधिनियम, 1951 (1951 का 43) की धारा 106 क अनुसरण में
निर्वाचन आयोग 1982 की निर्वाचन अधीन नं० 11 उच्च न्यायालय
हिमाचल प्रदेश, स्थित शिमला के तारीख 28-12-1982 का निर्णय
एतद्वारा प्रकाशित करता है।

In the High Court of H. P. Shimla-I,
ELECTION PETITION No. 11 OF 1982

Date of decision : December 28, 1982

Shri Anand Sharma Petitioner.

Versus

Shri Daulat Ram Chauhan Respondent.
Coram
The Hon'ble Mr. Justice T. R. Handa, J.

Whether approved for reporting?

For the Petitioner M/S M. L. Sharma, D. K. Khanna
and K. L. Bali

For the Respondent M/S S. S. Mittal and K. S.
Patyal.

T. R. HANDA J

This election petition calling in question the election
of the respondent Shri Daulat Ram Chauhan to the
Himachal Pradesh State Legislative Assembly from
8—Simla Assembly Constituency, has been filed under
section 80/81 read with section 100 of the Representation
of the People Act 1951 (hereinafter referred to as 'the Act')
by Shri Anand Sharma, one of the defeated candidates.

The election was held as per the following schedule:—

- | | |
|--|-----------|
| (a) Last date fixed for filing of nomina-
tion papers | 24-4-1982 |
| (b) Date fixed for scrutiny of nomina-
tion papers | 26-4-1982 |
| (c) Last date fixed for withdrawal of
candidature | 28-4-1982 |
| (d) Date of poll | 19-5-1982 |
| (e) Date of election results | 21-5-1982 |

After the last date fixed for the withdrawal of candi-
dature, there were left in the arena as many as 24 candi-
dates to contest the aforesaid election from Simla
Assembly Constituency. They included the present
petitioner who had been sponsored by the Congress (I)
Party and the present respondent who was the sitting
Member from this Constituency and was the nominee
of the Bartiya Janta Party. The main contest at the
election was in fact between these two candidates only
as each of the remaining 22 candidates had forfeited
his security. Shri Daulat Ram Chauhan respondent

secured 12314 votes and was declared successful. Shri Anand Sharma, petitioner, trailing immediately behind, polled 9357 votes. The remaining two candidates in between themselves could secure 3260 votes. In substance the case of the petitioner, as stated in the petition is that the respondent, his election agent and other persons with the consent of the respondent indulged in corrupt practices as defined in section 123 (4) of the Act and the election of the respondent is, therefore, void and needs to be declared as such under section 100(1)(b) of the Act. The further case of the petitioner is initially pleaded was that the result of the election in so far as it concerns the respondent, had been materially affected by corrupt practices of like nature committed in the interest of the respondent by his agents other than the election agent and for this reason the election of the respondent deserved to be declared void also under section 100(1)(d)(ii) of the Act.

Full particulars of the corrupt practices alleged to have been committed by the respondent, his election agent and other persons with the consent of the respondent as also by the agents other than the election agent of the respondent find mention in paras 10 to 19 of the petition. Paras 5 to 9 of the petition furnish the background in which such corrupt practices are alleged to have been committed. I do not consider it necessary to give an account of such particulars of the corrupt practices at this stage as it would be much more convenient to mention about the relevant particulars of each of the alleged corrupt practices when the same is taken up for discussion under the relevant issues framed in respect thereof. For the present it would suffice to mention that as per allegations made in the petition, the respondent, his election agent and other persons with the consent of the respondent made publication of certain statements of fact in relation to the personal character and conduct of the petitioner, which statements were totally false to the very knowledge and belief of the respondent and which were reasonably calculated to prejudice the prospects of the petitioner's election. Similar corrupt practices are alleged to have been committed in the interest of the respondent by his other agents and as a result thereof the result of the election in so far as it concerned the respondent, had been materially affected.

Stated tersely, the plea of the respondent was that neither he nor his election agent nor any other person with his consent had made publication of any statement of fact which was false or which related to the personal character or conduct of the petitioner. He also denied if any of his agents other than his election agent had in his interest, made publication of any such statement. In other words, the respondent made a complete denial if he had either himself or through any of his agents committed any corrupt practices of the type alleged in the petition. A detailed reference to the manner in which the allegations of corrupt practices were denied by the respondent in his pleadings, would be made at the appropriate stage in a later part of this judgment while discussing the alleged practices.

The pleadings of the parties gave rise to the following issues:—

1. Whether the respondent or his election agent or any other person with the consent of the respondent or his election agent made publication of the posters found at Annexure 'D', Annexure 'D-2' and Annexure 'E' to the election petition?
2. Whether any of the agents of the respondent made publication of the posters referred to in issue No. 1 or any of them as alleged in paras 11 to 13 of the petition?
3. Whether the statements made in posters referred to above are false and the respondent believed the same to be false or did not believe the same to be true?
4. Whether the publication of the posters aforesaid or any of them constitutes a corrupt practice within the meaning of section 123 (4) of the Act?
- 4-A. Whether the respondent and/or his election agent repeated the contents of posters annexures D, D-2 and E while addressing a public meeting

at Ladies Park at 2.00 P.M. on 17-5-1982 as mentioned in para 15 of the petition?

5. Whether the publication of the posters aforesaid affected materially the result of the election in so far as the respondent is concerned?
6. Whether the press statement found at Annexure F-1 and the Press Reports found at Annexures F-2 and F-3 were issued by Dr. R. N. Paul with the consent of the respondent and the statements made therein were false and the respondent believed the same to be false or did not believe the same to be true?
7. Whether the Press statements referred to in issue No. 6 above were issued by Dr. R. N. Paul in his capacity as agent of the respondent and in the interest of the respondent and the respondent believed the same to be false or to be not true?
8. Whether the publication of the Press statement and Press reports referred to issue No. 6 above constitutes a corrupt practice within the meaning of section 123 (4) of the Act?
9. If issue No. 8 is proved, whether the issue of the statements aforesaid affected materially the result of the election in so far as the respondent is concerned?
10. Whether the respondent and/or his election agent or any other person with the consent of the respondent or his election agent made publication of cyclostyled copies of the letter found at Annexure 'G' to the petition?
11. Whether the contents of the letter found at Annexure 'G' are false and the respondent believed the same to be false or did not believe the same to be true?
12. If issue No. 11 is proved, whether the publication of such copies amounts to corrupt practice within the meaning of section 123 (4) of the Act?
13. Whether the agents of the respondent in the interest of the respondent made publication of the letter found at Annexure 'G'?
14. If issue No. 13 is proved, whether the publication of the aforesaid letter affected materially the result of the election in so far as the respondent is concerned?
15. Relief.

In passing, it may be mentioned that in the course of the hearing of this election petition, an application was moved on behalf of the respondent alleging that the election petitioner had in his petition made allegations of corrupt practices against Sarvshri Kali Das Batish and Puran Chand Sood both of whom were candidates at the election and who had not been impleaded as parties to the petition. It was prayed that in view of this the election petition was liable for dismissal under section 82 (b) read with section 86 of the Act. On the said application of the respondent the following additional issue was subsequently framed:—

Whether any allegations of corrupt practices have been made in the petition against Sarvshri Kali Das Batish and Puran Chand Sood who were admittedly candidates at the election. If so, to what effect?

This additional issue, however, was not later pressed on behalf of the respondent. Sarvshri K. S. Patyal and S. S. Mittal the learned counsel appearing for the respondent, both conceded that no allegation of corrupt practice can be said to have been made in any part of the petition either against Shri Kali Das Batish or against Shri Puran Chand Sood both of whom were admittedly candidates at the election. This additional issue is accordingly decided against the respondent.

The 14 issues reproduced above can be conveniently split in two main groups. In the first group would fall such of the issues as relate to the corrupt practice falling within the purview of section 100 (1) (d) of the Act and in the second group would fall such of the issues which relate to the corrupt practices falling within the purview of section 100 (1) (d) (ii) of the Act. Issues Nos. 2, 5, 7, 9, 13 and 14 would fall in the second group while rest of the issues would fall in the first group. In so far as the second group is concerned, Shri M. L. Sharma, the learned counsel for the petitioner in the course of his arguments

made a statement at the bar on 10-12-1982 that he did not want to invoke the provisions of section 100 (i) (d) (ii) of the Act and that the challenge of the election petitioner against the election of the respondent was restricted to only such of the grounds as fall within the ambit of section 100 (1) (b) of the Act. In view of this statement made by the learned counsel, all these issues falling in the second group have become redundant and are left as such.

Coming next to the issues falling in the first group, it would be convenient for the purposes of discussion to divide them further into three sub-groups. The first of these sub-groups would comprise of issues Nos. 1, 3, 4 and 4-A all of which pertain to the publication of the posters found at Annexures 'D', 'D-2' and 'E' to the election petition. The second sub-group would comprise of issues Nos. 6 and 8 which pertain to the publication of the Press statement and Press reports found at annexures 'F-1', 'F-2' and 'F-3' to the election petition. The third sub-group will include issues Nos. 10, 11 and 12 all of which pertain to the publication of the posters found at Annexure 'G' to the election petition.

SUB-GROUP I

Issues 1, 3, 4 and 4-A

I would first take for discussion the first of these three sub-groups which comprises of issues No. 1, 3, 4 and 4-A. Before I proceed further I would like to make a brief reference to the relevant particulars of the corrupt practice covered by these issues as given in the petition as also the facts and circumstances which, according to the election petitioner, formed the background for the commission of this corrupt practice.

The facts and circumstances which are alleged to supply the background for the commission of this alleged corrupt practice are stated in paras 5 to 9 of the election petition. It is alleged that the election campaign of the petitioner was proceeding on very successfully till 16-5-1982 by which date several top leaders of the Congress (I) Party had addressed various public meetings in support of the election prospects of the petitioner. One of such public meetings was addressed by Shrimati Indira Gandhi, the President of the Congress Party and the Prime Minister of India on 4-5-1982 at Ladies Park, Simla. Several thousands of electorate from this constituency had attended this public meeting. On 7th and 8th of May, 1982 Shri Gulam Nabi Azad, Member of Parliament and the President of the Indian Youth Congress (I) also addressed several meetings in support of the petitioner's election in various parts of Simla town. The last of such meetings was held at Ladies Park Simla in the evening of 16-5-1982. It was *inter alia* addressed by Sarvshri Rajiv Gandhi, Member of Parliament and N. D. Tiwari, Union Minister as also by the petitioner. The petitioner had also been going from door to door as a part of his election campaign to seek the support of the electorate. This organized election campaign conducted in support of the petitioner demoralised the respondent and his supporters to such an extent that they thought of devising illegitimate and nefarious means to bring down the image of the petitioner in the public eye and to alienate the sympathy of the electorate from the petitioner to the respondent.

With the aforesaid end in view and in pursuance of a preplanned scheme, a large number of workers of the Bhartiya Janta Party led by the respondent Shri Datt Ram Chauhan collected outside the office of the Congress (I) Party on the Mall Simla at about 7.00 P.M. on 16-5-1982. Sarvshri Rajiv Gandhi, N. D. Tiwari and the petitioner had earlier come to this office immediately after the conclusion of the public meeting referred to above. Soon after, these three persons, however, left that place. As soon as these persons, namely, Sarvshri Rajiv Gandhi, N. D. Tiwari and the petitioner left the premises of the Congress (I) office, the workers of the Bhartiya Janta Party led by the respondent resorted to hooliganism and started raising anti-Congress slogans. In addition they started pelting stones on the Congress (I) office. As a result thereof several window panes of the office building were broken.

The District authorities including the District Magistrate and the Station House Officer of the concerned police station reached the spot and controlled the situation.

A report with respect to this occurrence was lodged with the Station House Officer of the police station on the spot by the President, District Congress Committee, Simla and on the basis thereof a case under sections 147/149/506/427/323/354 I.P.C. was registered with the police station vide First Information Report No. 66, dated 16-5-1982. A copy of this First Information Report was annexed with the election petition and is now found at Ex. PW 46/A.

The aforesaid facts and circumstances are alleged to furnish the background of the corrupt practice which is covered by the issues under consideration. Now coming to the relevant particulars of this corrupt practice, the case of the petitioner is that as a counter blast to the report lodged by the President, District Congress Committee, Simla with the police, a counter report was lodged, immediately thereafter with the same police officer on behalf of the Bhartiya Janta Party by its publicity incharge Shri R. N. Pal RW. A case under sections 147/323/506/149/109 I.P.C. was registered on the basis of this report vide First Information Report No. 67 of 1982. A copy of this First Information Report is found at Ex. PW. 46/B. In his report Shri R. N. Pal had *inter alia* alleged: "Today at 6.50 P.M. at the instigation of Shri Rajiv Gandhi M.P. and Shri Anand Sharma Cong. (I) candidate from Simla a few persons from Delhi and other parts of the country including Simla (Youth Congress people), whom Shri Sunil Upadhaya and Shri Bhagat Singh and others recognise stabbed Shri Deepak Kumar, Anil Sood and threatened Shri Sunil Upadhaya at a pistol point after a meeting addressed by Shri Rajiv Gandhi at Ladies Park". According to the petitioner it was an absolutely false version which had been deliberately concocted in order to malign the image of the petitioner as also the Congress (I) Party. In fact neither Deepak Kumar nor Anil Sood was stabbed nor any other person was attacked or injured. The workers of the Bhartiya Janta Party, however, administered fake bandages on the persons of Deepak Kumar and Anil Sood and got them admitted in the hospital. These workers of the Bhartiya Janta Party then gave out to the public that Sarvshri Deepak Kumar and Anil Sood had been stabbed by the workers and hired Goondas of the Congress (I) Party. Press reports to that effect also appeared in the paper on the following morning. The Medical Superintendent of the Snowdon Hospital issued a medical bulletin on the next day, that is, 17-5-1982 a copy of which is found at Annexure 'C' which shows that both these persons were found to have only simple injuries and that no abnormality was found with either of them on their physical examination.

In order to give still wider publicity to the aforesaid false version, the respondent, his election agent and other workers with his consent got printed on 17-5-1982 the pamphlets annexed with the petition as Annexure 'D' and 'D-2' (these pamphlets have since been exhibited on the record as Ex. PW. 10/5 and Ex. PW. 10/4 respectively) and distributed the same in public. Copies of such posters were also displayed at various parts of the town.

The pamphlet, Annexure 'D' which has since been exhibited as Ex. PW. 10/5 is a printed poster which contains three photographs and some printed matter. Two of the photographs depict Sarvshri Deepak Kumar and Anil Sood lying injured in the hospital while the third photograph depicts blood flowing on the road where these persons are alleged to have been stabbed. The printed matter is in Hindi and when translated into English it reads like this:

"The hired gundas of Congress made a murderous assault on Bhartiya Janta Party workers at 7.00 P.M. on 16th May, at the Mall near Telegraph Office. As a result of, our workers were seriously injured and removed to hospital drenched in blood and in precarious condition.

The tell-tale photographs of the incident are before you.

Photograph	Photograph	Photograph
Bhartendu Printing Press, Simla.	Bhartiya Janta Party, Simla	

The other poster Annexure 'D-2' which has been exhibited as Ex. PW. 10/4 is also in Hindi. When translated into English it reads like this:

"Murderous assault on Bhartiya Janta Party workers by the Congressmen.

Two assailants arrested in Congress (I) office, Simla.

The Congressmen have become perplexed due to their ensuing defeat in Simla constituency. Yesterday on 16th May, evening they attacked many Bhartiya Janta Party workers with hockey sticks and knives. The eminent among them Deepak Kumar and Anil Sood have been seriously injured and admitted in Snowdon Hospital and are till in serious condition, one worker was threatened by brandishing a pistol. This vandalism is being done by the Congressmen since long.

Dharna was staged in front of Congress (I) office. Police came in the action after an hour, two persons were arrested from inside the Congress office. Other two were arrested while running towards the Western Command. We thank the Bhartiya Janta Party sympathisers who while keeping self control helped in the arrest of the Goondas. We request you to have patience and remain calm in the future.

Applicant
Bhartiya Janta Party,
Simla.

SYMBOL
Kamal Ka Phool

Bhartendu Press, Simla."

Another pamphlet found at Annexure 'E' was published by one Shri B. Lal a worker of the respondent. This pamphlet - also in Hindi and its English translation is as follows:

"THE BLOOD IS DEMANDING JUSTICE.....

Sir.

Hardly two years have elapsed when the blood was shed on the pious land of Palampur and Sundernagar in police firing ordered by the Ram Lal Government and THE DROPS OF MARTYRS BLOOD HAVE NOT EVEN DRIED AS YET.

These persons who, in the name of Democracy kicked away the demand for Judicial Enquiry, have now come to the peoples court with veiled faces for begging the vote. It is the time that the veils should be removed from their faces.

Their hands are wet with the blood of the martyrs.

These are the people who have been retrenching the workers demanding higher wages. It is because of their deeds that the work-charged workers and the employees of Judiciary have been rendered jobless and compelled to go from pillar to post. These are the cheats who have refused to implement the written agreement. Today we have brought these culprits to the People's court.

On the top of it, the hired people of the Congress have waged a deadly attack on the workers of the Bhartiya Janta Party on 16th May at 7.00 P.M. on The Mall Road near Telegraph Office. Consequently, our workers have been seriously injured and those besmeared with blood were lifted to the Hospital in the state of unconsciousness. They regained their consciousness the next day. They are still under medical treatment in the Snowdon Hospital.

They changed their party, they changed their hearts and they sold their faith and they sold humanity.

Punish them and exercise your pious franchise according to the Constitution. Vote against all the companions of Ram Lal and vote to power the candidates of that very opposition party which has been supporting us till today and which has declared in its manifesto to conduct a Judicial Enquiry, increase daily wages to bring them on a par with those prevalent in Punjab and given an undertaking to reinstate the work-charged workers and employees of Judiciary.

Swear by every drop of the blood of immortal martyrs.

Reject the caucus of murderers, cheats and corrupt people so that any one may not cheat in future.

B. LAL,
President,
Simla Nagar Uthaan Mandal."

All these three pamphlets were alleged to have been printed at the Bhartendu Printing Press, Simla of which Shri Rajinder Pal Sood is the proprietor. This Rajinder Pal Sood was stated to be the counting agent of the respondent at the election. The names of the persons who were responsible for the printing and distribution of these posters as also the several persons to whom these posters were distributed were named in para No. 13 of the petition.

It was further alleged in the petition that the allegations made in the posters Annexure 'D', 'D-2' and 'E' were later repeated by the respondent, his election agent and other persons with his consent in a public meeting which was arranged by the Bhartiya Janta Party and was held at Ladies Park on 17-5-1982.

With respect to the incident resulting in job agitation in front of the Congress (I) office on the Mall Simla in the evening of 16-5-1982 the stand taken by the respondent in his reply to the petition was like this. Two of the workers of the Bhartiya Janta Party had been stabbed by some ruffians owing allegiance to the Congress (I) Party in front of the Telegraph Office. After the assault, the assailants took shelter in the office of the Congress (I). It was on that account that the Bhartiya Janta Party workers held demonstration outside the Congress (I) office. It was only after such demonstration that the two culprits were arrested from the Congress (I) office. The respondent admitted that Shri R. N. Pal who was the publicity incharge of the Bhartiya Janta Party had lodged the report with the police with respect to that incident as alleged in the election petition. With respect to the medical bulletin which according to the petitioner had been issued by the Medical Superintendent of the Snowdon hospital on the morning of 17-5-1982, the plea of the respondent was that the same was prepared and issued by the Deputy Commissioner to advance the prospects of the petitioner's election and not by the medical authorities.

With respect to the publication of the posters Annexures 'D', 'D-2' and 'E' the respondent pleaded that it was all a brain wave of the petitioner and that he was in no manner connected with the printing or publication of these posters. His alternative plea was that these posters nowhere attacked the personal character or conduct of the petitioner and the publication thereof would, therefore, not constitute a corrupt practice within the meaning of section 123 (4) of the Act. The respondent further denied if he or any other person repeated the allegations made in the posters aforesaid while addressing the public meeting on 17-5-1982.

Before I proceed to discuss the issues falling in this sub-group I may refer to the law applicable in the case which is found in sections 100 (1) (b) and 123 (4) of the Act. It would be expedient to extract both these provisions for the sake of ready reference:

"100. Groups for declaring election to be void.—(1) Subject to the provisions of sub-section (2) if the High Court is of opinion—
(a) xx xx xx xx xx

(4) that any corrupt practice has been committed by a returned candidate or his election agent or by any other person with the consent of a returned candidate or his election agent; or
 XX XX XX XX XX
 XX XX XX XX XX
 the High Court shall declare the election of the returned candidate to be void."

"123. *Corrupt practice.*—The following shall be deemed to be corrupt practices for the purpose of this Act:—

XX XX XX XX XX XX
 XX XX XX XX XX XX

(4) The publication by a candidate or his agent or by any other person, with the consent of a candidate or his election agent, of any statement of fact which is false, and which he either believes to be false or does not believe to be true, in relation to the personal character or conduct of any candidate, or in relation to the candidature, or withdrawal, of any candidate, being a statement reasonably calculated to prejudice the prospects of that candidate's election."

On a proper analysis of the above provisions it would be clear that under this sub-group of issues the election petitioner is required to establish the following ingredients:—

- (i) publication of the posters Annexure 'D', 'D-2' and 'E' by the respondent, his election agent or by any other person with the consent of the respondent or his election agent (Issue No. 1);
- (ii) the repeating of the allegations made in the posters aforesaid by the respondent or some other person with his consent at the public meeting held on 17-5-1982 at Ladies Park Simla (Issue No. 4-A);
- (iii) that these posters contained some statement of fact which was false and which the respondent believed to be false or did not believe to be true (Issue No. 3);
- (iv) that the false statement contained in these posters was in relation to the personal character or conduct of the petitioner and it was reasonably calculated to prejudice the prospects of the petitioner at the election.

In so far as the first ingredient is concerned it is not disputed that all the three posters found at Annexure 'D', 'D-2' and 'E' and which are now exhibited as Ex. PW 10/5, Ex. PW. 10/4 and Ex. PW. 10/6 respectively, were printed at the Bhartendu Press. PW. 10 Shri Rajinder Pal Sood is the proprietor of this Press. He is admittedly a worker of the Bhartiya Janta Party and had been appointed as a counting agent for the respondent at the election. The first two of these posters were printed at the instance of the Bhartiya Janta Party through its publicity incharge Shri Kali Das Batish RW. The third poster Ex. PW. 10/6 was printed at the instance of Shri Madan Lal who also as per admission of Shri Krishan Chand Sharma RW. 2, the election agent of the respondent, was a number of the B. J. P. A large volume of evidences has been let in on behalf of the petitioner to prove that all these posters were printed and published by the respondent, his election agent and other persons with the consent of the respondent or his election agent. I need not refer to such evidence as this fact is no more in dispute. The initial stand of the respondent as taken in his reply to the election petition that he was in no manner connected with the printing and publication of these posters is no more being adhered to. Shri Krishan Chand Sharma, the election agent of the respondent appearing as RW. 2 owned complete responsibility for the printing and publication of the posters Ex. PW. 10/5 and Ex. PW. 10/4. In view of the voluminous evidence adduced from the side of the petitioner to show that the poster Ex. PW. 10/6 was distributed along with the posters Ex. PW. 10/5 and Ex. PW. 10/4 by the same set of workers of the Bhartiya Janta Party and the fact that the same Press owned by PW. Rajinder Pal Sood and at the instance of Shri Madan Lal, a member of the Bhartiya Janta Party, the learned counsel for the respondent did not contest this first issue which, therefore, must be taken as proved.

With respect to the allegation that the respondent and some other persons repeated the allegations made in the posters Ex. PW. 10/4 to Ex. PW. 10/6 while addressing a public meeting at Ladies Park Simla on 17-5-1982 and which is the subject matter of issue No. 4-A, there is no reliable evidence to support this allegation. Only three witnesses were examined on this point on behalf of the petitioner and they are Sarvshri Amar Singh (PW. 22), Amrit Chopra (PW. 23) and Visheshwar Sharma (PW. 35). PW. 22 Shri Amar Singh claims to have attended the meeting of the Bhartiya Janta Party held in Ladies Park Simla at about 2.15 p.m. on 17-5-1982. This meeting as per this witness was addressed by Sarvshri Krishan Chand Sharma and Daulat Ram Chauhan. He next stated that it was stressed in the addresses of these persons that a candidate like Shri Anand Sharma at whose instance the workers of the Bhartiya Janta Party had been stabbed did not deserve public votes. He also stated that the symbol of 'HAND' which was allotted to the petitioner was described as a 'BLOODY HAND' in these addresses. The next witness Shri Amrit Chopra (PW. 23) who also claims to have attended this meeting was, however, not in a position to support the version given by Shri Amar Singh PW. 22. Shri Amrit Chopra PW. 23 could not remember if the respondent Shri Daulat Ram Chauhan had made any particular reference with respect to the conduct of Shri Anand Sharma. He did not refer to any other speaker in the meeting. This statement of Shri Amrit Chopra clearly rules out the possibility of any direct attack having been made on the personal character of the petitioner by any of the speakers in that meeting. The last witness on the subject is PW. 35 Shri Visheshwar Sharma who claims to have heard the address given by Shri Krishan Chand Sharma in the meeting. According to him Shri Krishan Chand Sharma spoke that the Congress candidate had hired Goondas and got stabbed the workers of the Bhartiya Janta Party. According to this witness it was further stated by Shri Krishan Chand Sharma in that meeting that the victims were in a very serious condition lying in the hospital and there was a likelihood of their dying any moment. There is thus no consistency in the versions of these three P.Ws. all of whom disposed about the same incident. Both Shri Daulat Ram Chauhan as also Shri Krishan Chand Sharma appeared in the witness box and denied having made any such speeches in the meeting held on 17-5-1982. In view of the evidence discussed above it is just not possible to conclude if the statements made in the posters Annexures 'D', 'D-2' and 'E' were repeated by any of the speakers who addressed the meeting on 17-5-1982. Issue No. 4-A is thus found against the petitioner.

Now coming to the next ingredient, the case for the petitioner is that all these posters contained a statement of fact which was false. The objectionable statement is alleged to be in relation to the incident of 16-5-1982. A bare perusal of these posters would show that while relating this incident the posters state that the hired Goondas of Congress Party made a murderous assault on the workers of the Bhartiya Janta Party and stabbed or caused serious injuries to Sarvshri Deepak Kumar and Anil Sood who were lying in the Snowdon Hospital where they had been admitted in a serious condition. This is obviously a statement of fact. That this statement is false, stands amply proved from the evidence of Dr. (Mrs.) C. P. Pushpawati (PW. 2) and Dr. Sanjeev Kumar (PW. 3), both of the Snowdon Hospital Simla, and who had examined the alleged injured persons soon after the occurrence on 16-5-1982. As per Dr. (Mrs.) Pushpawati the only injuries found on the person of Deepak Kumar at the time of his admission on 16-5-1982 were as follows:—

1. Two linear abrasions (scratches 1' and 1/2' in length respectively and 1/4' apart from each other present over the right cheek just below the right zygomatic prominence and they were red in colour. Ooz of serum was present.
2. Dried ooz nose bleeding present at the nose and there was no active bleeding from the nose. No other external injury over the body was found on the person of Shri Deepak Kumar Sharma.

Dr. Sanjeev Kumar (PW. 3) had examined both Deepak Sharma as also Anil Sood. According to him no injury

with any sharp edged weapon was found on the person of either of these two persons. In the case of Anil Sood he found only two parallel scratch marks on his abdomen. X-Ray of both these persons was also conducted but no fracture was found. No evidence to the contrary was adduced on behalf of the respondent to show if either Deepak Sharma or Anil Sood was inflicted any serious injury in the evening of 16-5-1982 as alleged in these posters. The respondent could have done so easily by producing the persons alleged to have been injured, their relations or friends who had the occasion to see them in the injured state, the persons who actually saw these persons being attacked or the Doctor who saw and treated such alleged stab injuries. The respondent, however, did not care to produce any of such persons. The respondent did in the first instance cited both Deepak Kumar and Anil Sood as his witnesses and undertook to examine them at his own responsibility but later on changed his mind without assigning any reason. This only shows that no person from any of the above categories and who was supposed to be in the know of the true facts was in a position to support the correctness of the impugned statements published in the posters. In this connection it may further be observed that the photographer who took the photographs of Deepak Kumar and Anil Sood and of the blood spots appearing in the poster Ex. PW. 10/5 was equally an important witness. He must have seen both the persons alleged to have been injured as also the spot of the alleged occurrence. He was certainly in a position to depose of either of these two persons had any stab injury or if the red substance shown in the picture was blood or some other liquid. This photographer too has not been examined. Shri Krishan Chand Sharma father of Deepak Kumar and who is also the election agent of the respondent claim that he visited his son Deepak Kumar in the Snowdon Hospital. He, however, never stated if Deepak Kumar had any stab or other injury. The respondent also while appearing as his own witness did not care to repeat the averments made in his reply that Sarvshri Deepak Kumar and Anil Sood had been stabbed. In these circumstances there is no alternative but to accept the evidence of Dr. (Mrs.) C. P. Pushpawati (PW. 2) and Dr. Sanjeev Kumar (PW. 3) that except for minor scratches no other injury was found on the person either of Deepak Kumar or of Anil Sood. In other words the statement of fact given in these posters that a murderous attack had been made by the Congress workers and Deepak Kumar and Anil Sood had been stabbed and admitted in the hospital in precarious condition was absolutely false.

The question that next arises is whether the respondent believed the aforesaid statement given in the posters with respect of the attack on Deepak Kumar and Anil Sood to be false or did not believe the same to be true. In his reply to the election petition, the respondent Shri Daulat Ram Chauhan had made a positive assertion that as per facts asserted by him, two workers of the Bhartiya Janta Party, namely, Deepak Kumar and Anil Sood had been stabbed by some ruffians owing allegiance to the Congress Party. While in the witness box, the respondent considered it convenient to observe complete silence on this subject. It finds mention in the evidence of either side that the respondent was present in the mob that had collected in front of the office of the Congress (I) Party in the evening of 16-5-1982 when the demand for the arrest of the alleged assailants of Deepak Kumar and Anil Sood was being made. Both Deepak Kumar and Anil Sood were as per respondent's own case workers of the Bhartiya Janta Party. Not only that one of them, namely, Deepak Kumar is the son of Shri Krishan Chand Sharma who was the election agent of the respondent and also the President of the Bhartiya Janta Party for the district of Simla. In these circumstances keeping in view the normal conduct of human beings, it looks only legitimate to conclude that Shri Daulat Ram Chauhan respondent must have asserted for himself the nature of injuries, if any, suffered by Deepak Kumar and Anil Sood. His complete silence on this point in the witness box shows that he had either received no information with respect to the attack on Deepak Kumar and Anil Sood or he did not believe that information to be true and in any case on verification he had found such

information to be false. As already stated Shri Krishan Chand Sharma, the election agent of the respondent had visited Deepak Kumar in Snowdon Hospital. He too preferred to keep mum about the nature of the injuries suffered by Deepak Kumar. This also shows that to his knowledge no injury of the type alleged in the impugned statement appearing in the posters Ex. PW. 10/4 to Ex. PW. 10/6 was suffered by Deepak Kumar or even by Anil Sood. In these circumstances it is safe to conclude that both Shri Daulat Ram Chauhan respondent as also his election agent Shri Krishan Chand Sharma had direct knowledge of the fact that no stab injury was inflicted either on the person of Deepak Kumar or on the person of Anil Sood and the impugned statement made in the aforesaid posters was false. This would lead to the further conclusion that both of them believed that the impugned statement was false and not true. Issue No. 3 is, therefore, also found in favour of the petitioner.

The next point that falls for consideration and which is really crucial is whether the impugned false statement was made in relation to the personal character or conduct of the petitioner within the meaning of the language employed in section 123 (4) of the Act. Naturally the question arises what is the meaning of the expression "personal character or conduct" as used in section 123 (4) of the Act. This question was considered by the Supreme Court in *T. K. Gangi Reddy's case* reported in (1960) 32 E.L.R. 261 where their Lordships observed as under:—

"The words 'personal character or conduct' are so clear that they do not require further elucidation or definition. The character of a person may ordinarily be equated with his mental or moral nature. Conduct connotes a person's actions or behaviour."

These observations were later approved in the case of *Sheopat Singh v. Ram Partap* reported in (1965) S.C.R. 175. Now in the instant case a bare look on the contents of each of the three posters would suggest that the impugned false statement contained therein does neither directly nor indirectly impute anything to the person of the petitioner. The statement does levy a charge of 'instigation for the commission of criminal and murderous assault', but the charge is levied against the general body of the workers of the Congress party and not against any individual, much less the petitioner. The name of the petitioner does not figure anywhere in any of these posters. Even an oblique reference cannot be imputed to his name. The language employed in these posters is clear and it charges the Congress workers as a body and not any individual. This statement is in fact in relation to the activities of a political party, which would both fall within the mischief of section 123 (4) of the Act. It has no reference to the mental or moral nature or to the personal actions or behaviour either of the petitioner or of any individual. The learned counsel for the petitioner urged that these posters should not be read in isolation but in the light of the other circumstances appearing on the record. When so read, proceeds the argument, the conclusion would be irresistible that the Congressmen referred to in the posters are none else but the election petitioner and Shri Rajiv Gandhi. I am afraid I am not impressed with this argument. These posters are self contained. They were not intended to supplement any other statement of fact nor they purport to do so. They in fact mention nothing which could directly or indirectly impute anything to the person of the petitioner. In these circumstances I find it difficult to conclude that the impugned false statement was made in relation to the personal character or conduct of the petitioner.

Whether this impugned false statement was reasonably calculated to prejudice the prospects of the petitioner's election is a matter of inference to be drawn from the facts of the case, and keeping in view the circumstances in which this false statement was published as also the time of its publication, it can certainly be said that it was reasonably calculated to prejudice the prospects of the petitioner's election. Since, however, this false statement did not relate to the personal character or conduct of the petitioner, the publication thereof would not constitute a corrupt practice within the meaning of section 123 (4) of the Act. The election of the

respondent, therefore, cannot be declared void on this count under section 100 (1) (b) of the Act.

The particulars which are alleged to constitute the corrupt practice forming subject matter of this subgroup may in the first instance be stated. The case for the petitioner is that as a part of the organized campaign launched by the respondent and his supporters to bring down the image of the petitioner in the eyes of the electorate and thereby prejudice the prospects of the petitioner at the election, Shri R. N. Pal who during the election had worked as publicity incharge of the Bhartiya Janta Party and of the respondent, had issued a Press statement on 17-5-1982. A copy of this Press statement is found at annexure 'F-1' to the petition. It has since been proved on the record as Ex. PW. 10/5. This Press statement, according to the petitioner, had been issued with the direct consent and knowledge of the respondent. All statements of facts contained in this Press statement were false to the very knowledge and belief both of the respondent and his agent Shri H. N. Pal. They related to the personal character and conduct of the petitioner and were intended to malign him. Press reports found at annexure 'F-2' and 'F-3' with the petition are alleged to have been published in the 18th May, 1982 issue of Punjab Kesri and 19th May, 1982 issue of Indian Express respectively on the strength of the aforesaid Press statement. These issues of the aforesaid Press statement. These issues of the Punjab Kesri and Indian Express have since been proved on the record and marked as X-8 and X-7 respectively.

In short, the allegations are that the Press statement Ex. PW. 5/A was issued by Shri R. N. Pal, publicity incharge of the respondent, it was issued with the consent of the respondent, it contained statements of facts, the statements were all false, the respondent and his agent Shri R. N. Pal believed such statements to be false and did not believe the same to be true, such false statements related to the personal character and conduct of the petitioner and they were designed to prejudice the prospects of the petitioner at the election.

In his reply to the election petition, the respondent pleaded his complete ignorance about the issue of any Press statement by Shri R. N. Pal as alleged in the election petition. The respondent specifically denied if any such Press statement had been issued with his consent or at his instance. He, however, did not deny the allegation that the statements of facts contained in the Press statement and a copy of which had been supplied to him along with the petition, were false and that the respondent and his agent Shri R. N. Pal believed the same to be false. Nor did the respondent deny the fact that the Press reports annexure 'F-2' and 'F-3' had been published in the Punjab Kesri and Indian Express respectively on the strength of the aforesaid Press statement.

That the Press statement Ex. PW. 5/A was issued under the signatures of Shri R. N. Pal and that Press reports mark X-8 and X-7 were published on the strength thereof in the 18th May issue of Punjab Kesri and 19th May issue of Indian Express respectively, is no longer in dispute. This fact has been expressly admitted by Shri R. N. Pal who was produced by the respondent as PW. 5. It is also admitted on behalf of the respondent that Shri R. N. Pal was the publicity incharge of the Bhartiya Janta Party during the election and that the publicity of the respondent was done by the Bhartiya Janta Party. In other words for the purpose of publicity, Shri R. N. Pal acted as the agent of the respondent.

Now the questions that arise for consideration in this case are:—

- (i) Whether Shri R. N. Pal issued the Press statement Ex. PW. 5/A with the consent of the respondent;
- (ii) Whether the Press statement Ex. PW. 5/A and the Press reports mark X-7 and X-8 contained any statements of facts which were false;
- (iii) Whether the respondent believed such statements to be false or did not believe the same to be true;
- (iv) Whether such false statements were in relation to the personal character or conduct of the petitioner; and

- (v) Whether issue of such false statements was calculated to prejudice the prospects of the petitioner at the election.

Before I proceed to answer the aforesaid questions, I may refer to the language of the impugned Press statement. It reads:

"BHARTIYA JANTA PARTY HIMACHAL PRADESH

120 Grand Hotel
Simla, the 17th May, 1982

Press Release:

Yesterday at 6.50 P.M. when Rajiv Gandhi M.P. had just finished his speech at the Ladies Park Simla, a few local Congi workers and other Congi workers who have come from Delhi and other parts of the country pounced upon the B.J.P. workers at the Mall. They bet our workers mercilessly, stabbed Deepak Kumar and Anil Kumar. These workers fell unconscious with heavy bleeding. Both of them were immediately removed to the hospital. The condition of these persons is still serious. The doctors have told the police that these persons are not in a position to make statement and should be kept under observation for five days.

Two more persons who are very serious are lying in Howks Hotel. Shri Sunil Upadhaya was threatened with a pistol. Four others have been injured. This all happened at the instigation of Congress (I) candidates Shri Anand Sharma and Shri Rajiv Gandhi M.P. which is evident from the fact that two persons were identified and arrested from the Congi office on the Mall. Two more who tried to escape were arrested from Western Command area where they tried to take shelter in the Military office. It is unfortunate that police came to action very late that too after our workers made a point to see that the culprits did not escape from the Congi office. The culprits and their colleagues broke their own office panes with the intention to malign our workers who were peacefully protesting on the road. Many Congi goondas are still staying in Capital and Anurag hotels and have in their possession revolvers and hockeys.

This was a pre-planned thing and we had apprehension of this happening. Shri Daulat Ram Chauhan had already filed a complaint with the D. C. and the S.P. Simla on the 15th May, 1982.

The B.J.P. publicity incharge talked to the D.C. and S.P. on 14-5-1982 and 15-5-1982 and to the city Magistrate on 15-5-1982 and the morning of 16-5-1982.

It is unfortunate that for the first time in the history of Simla, the Congress (I) goondas have created violence during the election campaign of Simla, which has the tradition of cordial relations between the workers of difference political parties. This incident is not only a stigma but a writing on the wall for all the citizens of this Pradesh to guess the fate of the City and the Pradesh if Congress (I) candidates are elected.

The fictitious, baseless and mischievous statements made by Congress (I) leaders which also appeared in a section of the Press have been denied by their own leaders. Statements made by Rajiv Gandhi and Ram Lal exposed the mean tactics adopted by their own leaders.

We condemn this heinous act in the strongest words and also warn Congi goondas to desist from such acts. We also request the district authorities to give full protection to our offices, candidate, workers, leaders and their residences. We apprehend more such incidents during the next two days and urge D.C. to provide adequate Police arrangements on the polling booths.

We also strongly condemn the medical bulletin issued by Dr. Brij Mohan which has been obtained under pressure by the Cong. (I) people. It is a political bulletin because (i) it is in the shape of a Press statement, (ii) it contradicts the case sheet, (iii) the patients are

observation for five days. They have not been allowed by the doctors to make a statement to the Police.

Sd/-
DR. R. N. PAL,
Publicity Incharge."

This Press statement contains *inter alia* the following statements:—

- (a) that on 16-5-1982 at 6.50 P.M. a few local Congress (I) workers who had come from Delhi and other parts of the country pounced upon the B.J.P. workers at the Mall;
- (b) that they (Congress workers) beat the B.J.P. workers mercilessly and stabbed Deepak Kumar and Anil Sood;
- (c) that both Deepak Kumar and Anil Sood fell unconscious with heavy bleeding and were in precarious condition;
- (d) that Sunil Upadhyaya was threatened with pistol;
- (e) that some other persons were also injured.

The Press statement further mentions in no ambiguous term that what has been stated above at (a) to (e), had all happened at the instigation of Congress (I) candidate Shri Anand Sharma i.e. the election petitioner and Shri Rajiv Gandhi, M.P. The Press reports mark X7 and X-8 published on the strength of this Press statement in the Indian Express and Punjab Kesri are also substantially to the same effect.

Now it can admit of no controversy that all the statements referred to above as found contained in the Press statement and Press reports are statements of fact. That these statements were false and the respondent believed the same to be false or did not believe them to be true, must be now taken as concluded in view of my discussion and findings recorded under sub-group I (issue No. 3). I have already held on the basis of the relevant evidence that except for minor scratches no stab injury or any other serious injury was found on the persons of either Deepak Kumar or Anil Sood and that allegations to that effect contained in posters Ex. PW. 10/4 to Ex. PW. 10/6 which were similar to the statements mentioned in the Press statement and the Press reports under reference were false and the respondent believed the same to be false or did not believe the same as true. In the presence of these findings, the further statement that Deepak Kumar and Anil Sood were mercilessly beaten and stabbed at the instigation of the election petitioner, as contained in the Press statement and the Press reports, must also be held as false and it must further be held that the respondent believed the same to be false or did not believe the same to be true.

That the statements of fact referred to above relate to the personal character or conduct of the election petitioner, is also clear from the language employed in the Press statement and the Press reports. This language in specific terms attributes acts of violence and vandalism to the election petitioner and charges him of having instigated certain rowdy element to make murderous assaults on the innocent workers of the Bhartiya Janta Party. This is certainly one of the worst kinds of character assassination. I have, therefore, no hesitation recording that the statements contained in the Press statements and the Press reports as referred to above, are in relation to the character and conduct of the election petitioner.

The next question is whether Shri R. N. Pal issued the Press statement Ex. PW. 5/A with the consent of the respondent. To prove consent in a case of this nature is more like proving a charge of criminal conspiracy. Just as direct evidence of criminal conspiracy is seldom available it is futile to expect direct evidence of consent in the instant case. Consent in a case like this can only be proved by circumstantial evidence. There are in this case sufficient circumstances proved on the record, which in my view do lead to the irresistible conclusion that Shri R. N. Pal issued the impugned Press statement with the consent of the respondent. These circumstances are as under:

- (a) Shri R. N. Pal under whose signatures the Press statement was issued, was the publicity incharge

of the Bhartiya Janta Party for the State of Himachal Pradesh. This fact stands admitted both in the reply to the election petition as also in the evidence of the respondent. It is also clear from the statement of the respondent that he had entrusted all this publicity for the purposes of election to the Bhartiya Janta Party. Shri Pal had thus the implied consent of the respondent to issue any Press statement and unless the respondent repudiated any such statement, his consent must be assumed.

- (b) The Press statement pertains mainly to the occurrence of 16-5-1982 though it also contains a reference to certain incidents of 14-5-1982 and 15-5-1982. With respect to the incident of 16-5-1982 it is the respondent's own case as stated in the reply to the election petition that as per facts ascertained by him two of the workers of the Bhartiya Janta Party, namely Deepak Kumar and Anil Sood had been stabbed and seriously injured and that it was to demand for the arrest of the culprits who had attacked these workers, that a mob of Bhartiya Janta Party workers had collected outside the office of the Congress (I) Party in the evening of 16-5-1982. Though the respondent denied in his reply, if he was present on the spot at that time, it is found in the evidence of either side that the respondent was so present. The respondent met the Deputy Commissioner on the spot and also went inside the office of the Congress (I) along with the Deputy Commissioner and his party workers including Shri R. N. Pal. The respondent was still present outside the office of the Congress (I) when Shri R. N. Pal came out from that office after lodging the report Ex. PW. 46/B with the police. The respondent was then pacifying the mob who had collected outside the office of the Congress (I). The respondent admits in his reply the fact of lodging of the First Information Report by Shri R. N. Pal with respect to the incident of 16-5-1982. In this set of circumstances it is safe to conclude that though the First Information Report Ex. PW. 46/B might not have been lodged with the prior approval of the respondent, he was apprised of its contents immediately after it was lodged. This F.I.R. in clear terms names the election petitioner as the person at whose instigation the violent act of murderous assault was alleged to have been committed on the persons of Deepak Kumar and Anil Sood by the Congress (I) workers. The respondent never cared to disown this allegation made in the F.I.R. He must have approved of this act of Shri R. N. Pal otherwise Shri Pal could not have repeated that allegation in the Press statement Ex. RW. 5/A which was issued on the next day at about 4.00 P.M.
- (c) Posters Ex. PW. 10/4 to Ex. PW. 10/6 were printed and published the very next day depicting an absolute false picture of the incident of 16-5-1982 obviously with a view to tarnish the image of the Congress (I) Party directly and its candidate at the election, indirectly. The respondent in his reply to the election petition tried to completely disown if he was in any manner connected with the printing or publication of these posters. This was obviously a false plea and only reflects guilty conscious of the respondent. Shri Krishan Chand Sharma, the election agent of the respondent refused to support this false plea of the respondent and frankly conceded while in the witness box that if not all the three, two of these posters Ex. PW. 10/4 and Ex. PW. 10/5 were published by him and his party. This fact was later conceded on behalf of the respondent by his counsel in the course of arguments. This only shows that the respondent was a party to the scheme of giving false publicity to the occurrence of 16-5-1982. The impugned Press statement also appears to be a part of the same scheme. The consent of the respondent to the issue of this statement, therefore, must be assumed.
- (d) Paragraph 3 of the Press statement reads:—
"This was a pre-planned thing and we had apprehension of this happening. Shri Daulat

Ram Chauhan had already filed a complaint with the D.C. and the S.P. Simla on the 15th May, 1982".

This shows that the apprehension mentioned in the above quoted para was not that of Shri R. N. Pal alone but it was shared by the respondent and his party as well. It was on account of such apprehension that the respondent is alleged to have earlier made complaints before the D.C. and S.P. Simla on 15-5-1982. Shri Pal has not disclosed the source of his information about the apprehension of the respondent and the filing complaints with the district authorities to which reference has been made in para 3 of the Press statement quoted above. A reasonable inference in these circumstances would be that this information was feeded to Shri Pal by the respondent only. Naturally it was so feeded for the purposes of issuing the Press statement. The conclusion, therefore, is obvious that the Press statement as a whole was issued after consultation with and obtaining approval of the respondent since there could be no reason for Shri Pal to have kept the respondent in the dark.

(e) The press statement though issued under the signatures of Shri Pal was actually issued in the name of the Bhartiya Janta Party and it further purports to have been issued from the office of that Party. Shri Pal had to sign it because he happened to be the publicity incharge of the Party. It is only logical to conclude that the draft of this Press statement had the prior approval of the important office bearers of the Bhartiya Janta Party including the respondent who besides being a member of the Executive Committee of his Party was the candidate at the election, and also his election agent Shri Krishan Chand Sharma who was the President of the district unit of the Bhartiya Janta Party. Otherwise also it is only reasonable to assume that the various workers of the Bhartiya Janta Party were not conducting the election campaign in isolation and that important decisions like issuing of the Press statement of the instant type were taken only after due deliberations and in consultation with the respondent.

(f) The respondent was admittedly present at Simla amongst his supporters and workers both on 16-5-1982 and 17-5-1982. It is only legitimate to conclude that he was consulted before the impugned Press statement was issued just as his approval was obtained for the publication of the posters Ex. PW. 10/4 and Ex. PW. 10/5.

(g) Neither the respondent nor Shri R. N. Pal while in the witness box cared to deny on oath if this Press statement was issued without the consent or knowledge of the respondent.

Shri R. N. Pal had thus admittedly the general power and authority in the matter of respondent's election publicity and for that reason he can be treated to have acted as the agent of the respondent for the purposes of section 123 (4) of the Act. As observed by the Supreme Court in the case of *Ram Kishan v. Jai Singh* reported in XXXVII E.L.R. 217 this general authority was sufficient to establish a kind of prior consent on the part of the respondent for the issue of the impugned Press statement by Shri R. N. Pal. This is now rendered all the more certain by the presence of the other circumstances as enumerated above. The failure on the part of the respondent to bring on record any material which could suggest to the contrary is an additional ground which impells me to conclude that the Press statement had been issued with his consent. In this connection the following observations made by the Supreme Court in the case of *M. Chenna Reddy v. V. R. Rao and another* reported in XL E.L.R. 390 of very apt:

"This Court has held in a number of cases that the trial of an election petition on the charge of the commission of a corrupt practice partakes of the nature of a criminal trial in that the finding must be based not on the balance of probabilities but on direct and cogent evidence to support it. In this connection, the inherent difference between the trial

of an election petition and a criminal trial may also be noted. At a criminal trial the accused need not lead any evidence and ordinarily he does not do so unless his case is to be established by positive evidence on his side, namely his insanity or his acting in self-defence to protect himself or a plea of alibi to show that he could not have committed the crime with which he was charged. The trial of an election petition on the charge of commission of corrupt practice is somewhat different. More often than not proof of such corrupt practices depends on the oral testimony of witnesses. The candidate charged with such corrupt practice invariably leads evidence to prove his denial; it becomes the duty of the court to weigh the two versions and come to a conclusion as to whether notwithstanding the denial and the evidence in rebuttal, a reasonable person can form the opinion that on the evidence the charge is satisfactorily established. We cannot also lose sight of the fact that quite apart from nature of the charge the trial itself goes on as if the issues in a civil suit were being investigated into. The petitioner has to give particulars of the corrupt practice with details in default whereof the allegations may be ignored; the petitioner has to ask for certain declarations and the procedure before the High Court is to be in accordance with that applicable under the Code of Civil Procedure to the trial of suits with the aid of the provision of the Indian Evidence Act. Inferences can therefore be drawn against a party who does not call evidence which should be available in support of his version."

The observations quoted above furnish an additional support to my conclusion that the impugned Press statement was issued by Shri R. N. Pal with the consent of the respondent.

The last question which needs to be answered in connection with the Press statement and the Press reports in question is whether the same were calculated to prejudice the prospects of the petitioner's election. Here again keeping in view the language of the Press statement and the time when it was released there could be no possible motive behind issuing such false statement except to alienate the sympathy of the electorate from the petitioner and to dissuade them from voting for the petitioner. This conclusion is all the more justified when we bear in mind that the petitioner was the only candidate at the election who could be considered as a source of potential danger to the respondent as stands revealed from number of votes polled at the election. In fact there can be no escape from the conclusion that the impugned Press statement and the Press reports were published only with a view to prejudice the election prospects of the petitioner.

In view of my above discussion and findings I decide issues No. 6 and 8 in favour of the petitioner and against the respondent.

SUB-GROUP III

Issues 10, 11 and 12

This sub-group also relates to the commission of a corrupt practice as defined in section 123(4) of the Act by the respondent, his election agent and other persons with the consent of the respondent. This corrupt practice charged against the respondent comprises of publication of a forged letter (Annexure 'G' to the petition) containing statements of facts in relation to the personal character and conduct of the election petitioner, which statements were totally false and malicious to the very knowledge and belief of the respondent and which were calculated to prejudice the prospects of the petitioner's election.

The forged letter Annexure 'G' to the election petition and which has since been admitted into evidence as mark X-1 reads:

Who killed our Sikh brother?

To,

Hon'ble Giani Zail Singh Ji,
Home Minister, Government of India,
New Delhi.

Subject.—Suspected murder of Shri Kirpal Singh by
Anand Sharma, President Youth Congress
of Himachal Pradesh.

Sir,

With profound respects I bring to your notice the following facts and I have every hope these will receive your sympathetic consideration and you will order an immediate enquiry by the Central Intelligence Bureau.

Shri Kirpal Singh s/o Ujjagar Singh of village Dhani Shahpur, Tehsil Fazilka, District Ferozepur was an Instructor in Songs and Drama Division, Government of India, and was posted in Simla in the year 1973.

On 7-11-1973, his dead body was found on the steps of Middle Bazar, Simla behind Le Gourmet Restaurant and his turban was missing. It is understood that an inquest was held after post mortem but nothing was done as Anand Sharma who was suspected of foul play got the matter hushed up with the influence of his father who was then working in Himachal Government on a high position.

After three months, i.e. on 16-1-1974 the police registered a case vide F.I.R. No. 5/74 under section 304 I.P.C. in Sadar Police Station Simla. The case was investigated by Shri Mehraj Singh Thakur S.H.O. and Shri Kedar Nath A.S.I. and Shri Anand Sharma who belonged to R.S.S. at that time was taken into custody and interrogated for a number of days.

Suddenly the case was hushed up due to official and political pressure. The proof of this interference is that as the files regarding investigation of this case are missing from the police station and even the office of Superintendent Police.

I appeal to you for justice and for bringing to book the culprit who in the present case seems ANAND SHARMA. As he is the President of Youth Congress he wields considerable influence in political and official circles. If this case is re-investigated from Himachal Police, I cannot expect justice. I therefore humbly pray that Central Bureau of Investigation may be deputed to investigate this case to bring the culprit to book and to justice.

Praying for your long life.

Yours obediently,
Sd/-
(POKHAR SINGH).

Copy to,

1. Hon'ble Prime Minister Shrimati Indira Gandhi, New Delhi.
2. Shri Yogender Mckwana, Union Minister of State for Home Affairs, Government of India, New Delhi.
3. Hon'ble President Neelam Sanjiva Reddy, New Delhi.

Sd/-
(POKHAR SINGH)
Paternal Uncle of the deceased C/o Shri
Ujjagar Singh, village Dhani Shahpur,
P.O. Jandwala Bhimashah, Fazilka.

And

Village Jhotinwali,
(M.L.A. DI TANI)
P.O. Mokerian, Tehsil Fazilka,
District Ferozepore (Punjab).

The case for the petitioner in brief is that Shri Krishan Chand Sharma, the election agent of the respondent and Shri Krishan Kumar, a member of the Bhartiya Janta Party and an active supporter of the respondent got copies of this letter cyclostyled in thousands. These copies were then distributed in the public on 18-5-1982 by Shri Krishan Chand Sharma, the election agent of the respondent and other workers of the Bhartiya Janta Party acting with his consent. A cyclostyled copy of this letter had also been displayed in the show window of Kumar Studios located on the Mall Simla. This studio is owned by Shri Krishan Kumar referred to above. Copies of this letter were also circulated on the next morning through various newspaper vendors by enclosing them in the newspaper issues of 19-5-1982.

Full particulars of the persons who actually distributed the cyclostyled copies of this letter as also some of the persons to whom these were distributed and the places and timings of such distribution find mention in para 18 of the Election Petition. The factum of distribution of the copies of this letter was brought to the notice of PW. Shri Hari Ram, President of the Simla District Congress Committee in the evening of 18-5-1982 and he immediately on the same evening made a complaint in writing to the Deputy Commissioner, Simla apprising him of the fact that cyclostyled copies of such letter were being distributed by the workers of the Bhartiya Janta Party and had also been displayed in the show windows of Kumar Studio and of Des Raj Saraf.

In his reply to the election petition, the respondent made a complete denial if he or his election agent or any other person with his consent had either got cyclostyled or distributed copies of the letter mark X-1 as alleged in the election petition. The counter plea of the respondent was that the story with respect to the publication of the letter mark X-1 had been concocted by the petitioner out of frustration and only after his defeat at the election. The respondent, however, did not deny the allegation that the statements made in this document in relation to the personal character and conduct of the petitioner were all false to the knowledge and belief of the respondent.

On a proper analysis, the letter mark X-1 would be found to contain the following material statements:—

- (i) That Shri Anand Sharma election petitioner was suspected of having committed the murder of one Kirpal Singh whose dead body was found lying on the steps of Middle Bazar Simla on 17-11-1973.
- (ii) That F.I.R. No. 5 of 1974 under section 304 I.P.C. was registered with police station Sadar Simla with respect to the death of Shri Kirpal Singh and the election petitioner was taken into police custody in that connection and was interrogated for a number of days.
- (iii) That the petitioner being the suspect in that case got the investigation of the crime hushed up by exerting official influence of his father who was then holding a high position in Himachal Government as also through political pressure.

It needs no effort or argument to conclude that the above-mentioned statements are statements of facts and that they are all in relation to the personal character and conduct of the election petitioner. That these statements are false and the respondent believed them to be so or did not believe them to be true, is amply proved from the sworn testimony of the petitioner which the respondent made no effort to challenge either by cross examination of the petitioner or by leading evidence in rebuttal. In fact neither the respondent nor his election agent while in the witness box cared to make any suggestion if there was any foundation for the allegations made in the letter mark X-1 against the person of the petitioner or if either of them had any excuse to believe the same to be true. There should, therefore, be no difficulty in holding, that these statements were all false and the respondent as also his election agent believed the same to be so or they did not believe the same to be true. The petitioner had admittedly been sponsored at the election by the ruling Congress (I) Party. He was obviously a candidate

of considerable strength and potential, a fact which is amply borne out from the election result. The publication of statements like those contained in the letter mark X-1 in relation to the personal character and conduct of the petitioner and especially at the eve of the poll day, would certainly justify the conclusion that this was reasonably calculated to prejudice the prospects of the petitioner's election.

All that the petitioner is now required to prove under this sub-group of issues, therefore, is that the publication of the letter mark X-1 was made by the respondent or his election agent or some other persons with the consent of the respondent. The petitioner has endeavoured to prove this fact by introducing a huge volume of evidence with direct as well as circumstantial. Direct evidence is furnished by the oral statements of as many as 16 witnesses all of whom claim to have seen Shri Krishan Chand Sharma, the election agent of the respondent personally distributing cyclostyled copies of the letter mark X-1 along with his other workers in Lower Bazar Simla in the evening of 18-5-1982. These 16 witnesses are—PW. 8 Shri Ashok Jain, PW. 9 Shri Mohinder Azad, PW. 13 Dr. Ashok Kumar Sood, PW. 14 Shri Pradeep Khanna, PW. 15 Shri Madan Lal, PW. 17 Shri Vinod Kumar Sood, PW. 18 Shri Dandeep Kuthiala, PW. 19 Shri Ramesh Shah, PW. 22 Shri Amar Singh, PW. 25 Shri Jai Raj Sharma, PW. 26 Shri Bal Krishan Sharma, PW. 27 Shri Narinderjit Singh, PW. 26 Shri Manjit Singh, PW. 37 Shri Ishwar Das Kapoor, PW. 38 Shri Jagat Singh and PW. 39 Shri Hardayal Sharma. Eight of these witnesses, namely, PW. 8 Shri Ashok Jain, PW. 9 Shri Mohinder Azad, PW. 14 Shri Pradeep Khanna, PW. 15 Shri Madan Lal, PW. 19 Shri Ramesh Shah, PW. 25 Shri Jai Raj Sharma, PW. 36 Shri Manjit Singh and PW. 37 Shri Ishwar Das Kapoor admit that they are all Congress workers and it may not be advisable to take their evidence on its face value unless it finds due corroboration. In the case of the remaining eight witnesses, however, this type of argument cannot prevail. In the absence of any material on the record which could suggest to the contrary, all these eight witnesses must be considered as independent and reliable. The first of these independent witnesses is Dr. Ashok Kumar Sood (PW. 13) who is a medical practitioner running his clinic in Lower Bazar Simla. He deposed that on 18-5-1982 at about 6.00 p.m. Sarvshri Krishan Chand Sharma and Amar Nath Bajaj gave him a copy of the poster like mark X-1 at his shop and that similar copies were delivered by these persons to the patients who were then sitting with him at his shop. There is nothing in the cross examination of this witness which could shake his testimony. The next witness on the point is PW. 17 Shri Vinod Kumar Sood who runs a shop in Lower Bazar Simla. He also deposed to have seen Sarvshri Krishan Chand Sharma, Amar Nath Bajaj and Sarwan Kumar distributing cyclostyled copies similar to the one found at mark X-1 in Lower Bazar Simla in the evening of 18-5-1982 at about 6.00 p.m. He further claims that one such copy was given to him at that time by Shri Amar Nath Bajaj. I find nothing in the cross examination of this witness either which could have the effect of shaking his testimony. Practically on the same lines is the evidence of all the witnesses on the point including those who admit to be Congress workers. Even though the evidence of such of the P.Ws. who are admittedly Congress workers is not of determinative character, it does not support the evidence of the other independent witnesses named above. Similarly PW. 21 Shri Anand Sood and PW. 40 Shri Som Nath claim to have seen Sarvshri Krishan Chand Sharma and Amar Nath Bajaj distributing such cyclostyled copies in Ganj Bazar Simla in the evening of 18-5-1982 when each of them was also delivered such a copy at his shop.

The only evidence adduced on behalf of the respondent in rebuttal consists of the oral statement of his election agent Shri Krishan Chand Sharma who appeared as PW. 2. This witness was examined only to plead his alibi. While giving his programme which kept him engaged for the entire day of 18-5-1982 the witness deposed that at 10.30 A.M. he accompanied the respondent to the office of the Tehsildar Election for the purposes of his

appointment as election agent. They left that office after about 45 minutes and from there he went straight to the Snowdon Hospital to see his injured son. At 3.30 P.M. he went to the office of the City Magistrate to arrange for the permits for the cars for the next day and then he went to the office of the Bhartiya Janta Party. He collected the polling agent forms and some other articles from that office and then went to Boileauganj. He stopped at Boileauganj for about half an hour and then proceeded to Summer Hill. He remained busy upto 6.30 P.M. at Summer Hill and from there he proceeded to Sanjauli where he reached to 7.15 P.M. He stayed there upto 8.00 P.M. and then proceeded to Chhota Simla. Now it may be noticed that no such alibi had been pleaded for this witness in the reply filed by the respondent to the election petition. It may further be noticed that no evidence whatsoever was adduced by the respondent to corroborate the aforesaid plea of alibi given by this witness.

Again neither Shri Amar Nath Bajaj nor Shri Sarwan Kumar who, according to the version of the petitioner's witnesses, had accompanied Shri Krishan Chand Sharma, election agent, in his campaign of distributing the cyclostyled copies like X-1, was examined nor was any explanation furnished for the omission on the part of the respondent to put them in the witness box. It may be observed that both Shri Amar Nath Bajaj and Shri Sarwan Kumar as admitted by Shri K. S. Patyal, the learned counsel for the respondent vide his statement recorded on 12-10-1982, were the workers of the respondent during the elections and, therefore, there is every reason to assume that they were available. Non-production of these persons would be an additional factor justifying the drawing of an adverse inference against the respondent.

Now much could be said on either side, in case the petitioner's case rested only on the oral evidence referred to above. There is, however, ample circumstantial evidence which when taken with the above-mentioned oral evidence of both the parties would convince any prudent mind that cyclostyled copies like mark X-1 were actually circulated in public in different localities of Simla in the evening of 18-5-1982 and that this was done by the respondent, his election agent and other persons with his consent. These circumstances may now be adverted to.

The letter mark X-1 was prepared and its copies cyclostyled only on 18-5-1982, that is, at the eve of the poll day. This conclusion in obvious form the testimony of PW. 47 Shri O. N. Chandra. This witness runs a cyclostyling machine at Simla. He deposed that 1000 copies of this letter were got cyclostyled from him by some person on 18-5-1982. The witness very honestly admitted his inability to give the identity of that person who got the copies cyclostyled because he was not known to the witness earlier. The witness further stated that the stencil of this letter was prepared in his office and the person who got the letter cyclostyled had himself signed as Pokhar Singh on that stencil in the presence of the witness. The witness had charged Rs. 120 on account of cyclostyling charges from that person vide his Cash Memo No. 382, dated 18-5-1982. This witness was allowed to go without any cross examination whatever from the side of the respondent. This shows that the respondent also accepted the version of this witness. It can, therefore, be taken as an undisputed fact that the letter mark X-1 was prepared and its copies cyclostyled only on 18-5-1982.

Once it is established that this letter mark X-1 was prepared and its copies cyclostyled only on 18-5-1982, there should be no difficulty in concluding that it is a forged document. Even if it be assumed that there was some foundation for the allegations contained in this letter, Pokhar Singh in whose name it purports to have been issued could certainly not be interested in issuing or publishing this letter after the lapse of so many years. In any case there was no sense in his coming all the way from his village in Tehsil Fezika (Punjab) to Simla just for getting this letter cyclostyled and that too from a stranger like PW Shri Chandra. The conclusion is thus irresistible that this letter was prepared rather forged

by some person other than Pokhar Singh. The fact that as many as 1000 copies of this letter were cyclostyled could justify the further conclusion that this letter was prepared for publication.

Now bearing in mind the normal course of human conduct, no person is expected to waste his time and money in forging a letter of this kind and getting its 1000 copies cyclostyled just for the fun of it. He must have some material purpose in view for taking up a job of this nature. Either party has tried to put the blame on the other for the forgery of this document.

The plea of the respondent as already stated is that the election petitioner had himself forged this letter and got its copies cyclostyled. The petitioner is alleged to have done so, as he was apprehensive of his defeat and he had a plan to use this document for concocting evidence of corrupt practice against the respondent, which plan, according to the respondent, the election petitioner has now actually put in practice.

On the other hand the case for the election petitioner is that seeing the success of the election campaign launched by the petitioner which had attracted the electorate towards the petitioner, the respondent became nervous and frustrated and it was out of such frustration that he resorted to corrupt practices, one of which was the publication of this false document mark X-1.

In so far as the plea of the respondent is concerned the same stands completely ruled out in view of the overwhelming and convincing evidence adduced by the petitioner and which proves beyond doubt that cyclostyled copies like mark X-1 had not only been distributed in the public on 18-5-1982, a day before the election, but one such copy had also found its way in the show window of Kumar Studios, The Mall, Simla where it had been seen displayed on that day. It may be recalled that this Kumar Studio is owned by Shri Krishan Kumar who is admittedly a member of the Bhartiya Janta Party and was an active supporter of the respondent at the election. In case the election petitioner had forged this letter and got its copies cyclostyled as contended on behalf of the respondent, this letter could not have seen the light of the day till the result of the election had been declared. In any case it could not have found its way in the show window of Kumar Studios.

Apart from the oral evidence discussed above which was led to prove the publication of this letter in the areas of Lower Bazar and Ganj Bazar Simla by Shri Krishan Chand Sharma, the election agent of the respondent, there have been examined several other witnesses on behalf of the petitioner who deposed having seen the distribution of such like copies on the Mall Simla the same evening, that is, 18-5-1982. Apart from such distribution they also claim to have seen displayed in the show window of Kumar Studios on the Mall a cyclostyled copy of this letter. These witnesses are PW. 11 Dr. Ravi Madan, P.W. 12 Shri Narinder Nanda, P.W. 16 Shri Taranjit Singh, P.W. 23 Shri Amrit Chopra, P.W. 28 Shri Jai Prakash, P.W. 29 Shri Ashok Kumar, P.W. 30 Shri Shiv Nath, P.W. 31 Shri Deep Chand, P.W. 32 Shri Man Mohan Vaid and P.W. 33 Shri Anand Prakash. P.W. 11 Dr. Ravi Madan is a medical practitioner and runs his clinic on the Mall Road itself. P.W. 12 Shri Narinder Nanda is a Radio dealer, again on the Mall. P.W. 16 Shri Taranjit Singh is employed as Booking Clerk in the Railway Booking Agency on the Mall Simla. P.W. 23 Shri Amrit Chopra also runs his business on the Mall. Similarly P.W. 28 Shri Jai Prakash, P.W. 29 Shri Ashok Kumar, P.W. 30 Shri Shiv Nath and P.W. 31 Shri Deep Chand have all their places of business on the Mall itself. P.W. 32 Shri Man Mohan Vaid is a practicing Advocate who also has his office on the Mall. P.W. 33 Shri Anand Prakash is employed in the Labour Bureau Simla and claims to have received the poster mark X-1 on his return from the office when he happened to pass in front of the shop of Kumar Studios in the evening of 18-5-1982. All these persons are independent, respectable and disinterested persons of the locality and there appears to be no reason to doubt

their veracity. This is all the more so when we take into account the evidence of P.W. 45 Shri Vipan Vaid. This witness works as an out-door photographer. He claims to have taken photographs of the show window of Kumar Studios on 18-5-1982 when poster like mark X-1 was found displayed there. He took two photographs which are Ex. PW. 45/1-A and Ex. PW. 45/2-A. Ex. PW. 45/1 and Ex. PW. 45/2 are the negatives of these photographs. Now Krishan Kumar who is admittedly the proprietor of the Kumar Studios and a member of the Bhartiya Janta Party and also an active supporter of the respondent has not been put into the witness box to deny if such copy of the letter mark X-1 had been displayed in his show window or if he had not been distributing such copies in front of his shop as deposed by so many witnesses named above. In fact he had been originally cited as a witness by the respondent but was later given up for reasons not disclosed. It only shows that this person was not willing to contradict the fact that a copy of the letter mark X-1 had been displayed in his show window as alleged by the witnesses of the petitioner. The conclusion from this evidence is irresistible that the cyclostyled copies which had been prepared by P.W. 47 Shri O. N. Chandra had reached the workers of the Bhartiya Janta Party and one such copy had also been displayed in the show window of Kumar Studios. Now in case these copies had been cyclostyled at the instance of the petitioner, this could not have happened. The possibility of these copies having been cyclostyled at the instance of the petitioner as pleaded by the respondent is, therefore, completely ruled out. The conclusion is thus obvious that these copies were got cyclostyled by the party of the respondent only.

Now once it is concluded that copies like mark X-1 were prepared and got cyclostyled by the supporters of the respondent, there appears to be no reason to doubt the veracity of so many witnesses who are all disinterested and belong to different shades of life and are all residents of the respective localities where they claim to have seen distribution of these posters, that these posters i.e. copies of letter X-1 were distributed by Shri Krishan Chand Sharma, the election agent of the respondent. In case of distribution by Shri Krishan Kumar on the Mall Simla, these circumstances can give rise to legitimate presumption that he was doing so with the consent of the respondent or his election agent.

I would, therefore, find all these three issues No. 10, 11 and 12 in favour of the election petitioner and against the respondent.

ORDER

As a result of my discussion and findings above I hold as under:—

- (i) that the charge for the commission of corrupt practice within the meaning of section 123 (4) of the Act levied against the respondent with respect to the publication of posters Ex. PW. 10/4 to Ex. PW. 10/6 is not proved and fails.
- (ii) that the charge for the commission of corrupt practice within the meaning of section 123(4) of the Act levied against the respondent with respect to the publication of the Press statement Ex. PW. 5/A stands proved against the respondent.
- (iii) that similar charge for the commission of corrupt practice within the meaning of section 123 (4) of the Act with respect to the publication of the letter mark X-1 also stands proved against the respondent.

In consequence I declare the election of the respondent as void under section 100 (1)(b) of the Act.

Keeping in view the number of witnesses examined on behalf of the petitioner as also the number of days for which this case was heard, I fix the costs of the election petitioner at Rs. 2,000/- and direct the respondent to pay this amount to the petitioner.

I further direct that the substance of this decision be intimated to the Election Commission as also to the Speaker of the Himachal Pradesh State Legislative Assembly forthwith and that an authenticated copy of

this decision be also sent to the Election Commission at the earliest.

December 28, 1982.

T. R. HANDA,
Judge.

By order,
M. L. WAHI,
Under Secretary,
Election Commission of India.

अनुपूरक

शून्य

PART I

श्रम विभाग

अधिसूचना

शिमला-2, 15 दिसम्बर, 1982

संख्या 8-24/82-श्रम.—न्यूनतम वेतन अधिनियम, 1948 (1948 का अधिनियम संख्या 11) की धारा 19 की उप-धारा (1) के अधीन उनमें निहित शक्तियों का प्रयोग करते हुए हिमाचल प्रदेश के राज्यपाल, हिमाचल प्रदेश में तहसील के प्रभारी सभी तहसीलदारों को (बन्दोबस्त विभाग के तहसीलदारों के अतिरिक्त) उक्त अधिनियम के प्रयोजनार्थ, उनके अपने क्षेत्र अधिकार में, निरीक्षकों के कृत्यों का निर्वहन करने हेतु सहर्ष तुरन्त निरीक्षक नियुक्त करते हैं।

आदेशानुसार,
हस्ताक्षरित/-
सचिव।

Authoritative English Text of the Government Notification No. 8-24/82 Shram, dated 15-12-82 as required under Article 348 (3) of the Constitution of India.

LABOUR DEPARTMENT

NOTIFICATION

Shimla-2, the 15th December, 1982

No. 8-24/82 Shram.—In exercise of the powers vested in him under sub-section (1) of section 19 of the Minimum Wages Act, 1948 (Central Act No. 11 of 1948) the Governor of Himachal Pradesh is pleased to appoint with immediate effect all the Tehsildars incharge of Tehsils (other than those of the Settlement Department) in Himachal Pradesh to be Inspectors for the purpose of the said Act to exercise their functions as such Inspectors within the jurisdiction of their posting as Tehsildars.

By order,
Sd/-
Secretary.

लोक निर्माण विभाग

अधिसूचना

शिमला-2, 21 मार्च, 1983

संख्या लो० नि० (ख) 9(4)1/82.—अतः हिमाचल प्रदेश के राज्यपाल को यह प्रतीत होता है कि सरकारी व्यय पर सार्वजनिक प्रयोजनार्थ नामतः नंगल डैम तलवाड़ा रेलवे लाईन तहसील व जिला की निर्माण हेतु भूमि ली जानी अत्यावश्यक अपेक्षित है; अतः एतद्वारा यह घोषित किया जाता है कि निम्न विनिर्देशन में वर्णित भूमि उक्त प्रयोजन के लिये अपेक्षित है।

2. यह घोषणा भू-अर्जन अधिनियम, 1894 की धारा-6 के

उपबन्धों के अधीन इससे सम्बन्धित सभी व्यक्तियों की सूचना हेतु की जाती है और उक्त अधिनियम की धारा 7 के उपबन्धों के अधीन भू-अर्जन समाहर्ता, लोक निर्माण विभाग, हमीरपुर, जिला हमीरपुर, हिमाचल प्रदेश को उक्त भूमि को अर्जन करने के आदेश देने का एतद्वारा निर्देश दिया जाता है।

3. इसके अतिरिक्त, उक्त अधिनियमों की धारा 17 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुये हिमाचल प्रदेश के राज्यपाल यह निर्देश देते हैं कि अत्यावश्यक मामला होने के कारण, भू-अर्जन समाहर्ता, लोक निर्माण विभाग, हमीरपुर उक्त अधिनियम की धारा 9 की उप-धारा (1) के अधीन सूचना के प्रकाशन से 15 दिन की अवधि समाप्त होने पर पंचाट देने में पूर्व, अकृष्ट एवम् कृषित भूमि का कब्जा ले सकता है।

4. भूमि का रेखांक भू-अर्जन समाहर्ता, लोक निर्माण विभाग हमीरपुर, हिमाचल प्रदेश के कार्यालय में निरीक्षण किया जा सकता है।

विनिर्देशन

जिला: ऊना	तहसील: ऊना	रकबा	कनाल मरला
ग्राम	खमरा नं०	3	4
1	2		
वामदेहरा	1662	0	14
	1666	1	0
	1667	0	5
	1668	0	16
	1669	3	5
	1675	0	3
	1676	0	15
	1677	0	11
	1678	0	3
	1679	1	18
	1681	0	16
	1682	0	17
	1683	0	12
	1684	0	1
	1684/1	2	8
	1685	0	11
	1686	1	5
	1687	2	15
	1688	0	8
	1689	3	7
	1690	0	14
किता	21	23	4
रायपुर	83	6	14
	84	0	3
	85	2	6
	86	3	17

1	2	3	4	1	2	3	4
	87	1	0		1130	2	6
	88	0	6		1131	2	9
	89	0	8		1132	0	3
	93	0	5		1133	2	9
	91	1	9		1133/1	0	2
	94	13	5		1133/2	2	0
	95	2	4		1134/1	0	1
	101	1	11		1135	0	18
	102	1	7		1187	5	15
	103	4	7		1188	13	19
	104	4	14		1189	12	16
	105	1	13		1190	0	3
	106	1	12		1191	0	8
	107	2	7		1192	0	13
	108	0	16		1196	0	11
	109	1	9		1729	0	2
	110	1	7		1731	0	12
	111	2	9		1732	0	15
	112	3	11		1733	2	5
	114	0	4		1734	8	19
	119	2	12		1735	1	7
	120	1	4		1736	0	9
	121	1	4		1737	2	9
	122	3	17		1738	0	18
	123	1	16		1739	7	4
	124	5	9		1741	0	1
	125	5	8		1742	0	2
	126	0	8		1743	0	2
	127	2	10		1744	0	10
	142	0	3		1745	0	12
	143	3	15		1746	0	8
	2564/144	0	7		1747	0	2
	2565/144	8	18		1845	1	1
	145	4	8		1847	2	5
	146	3	18		1848	1	18
	147	3	10		1849	1	16
	148	2	5		1850	0	12
	149	0	17		1851	0	6
	197	0	3		1852	0	3
	1017	1	1		1853	0	2
	1020	0	11		1854	0	3
	1021	1	4		1855	0	3
	2654/1022	1	0		1856	0	3
	2655/1022	2	13		1857	0	1
	1023	0	3		1858	0	6
	1024	0	7		1859	0	5
	1026	0	1		1860	0	5
	1027	10	17		1861	0	5
	1028	13	3		1862	0	5
	1029	3	12		1863	0	2
	1030	6	15		1864	0	2
	1031	0	10		1865	0	6
	1032	2	6		1866	4	12
	1033	0	2		1867	0	10
	1036	0	9		1868	0	9
	1040	0	5		1869	0	10
	1041	0	15		1870	0	8
	1042	0	1		1871	0	15
	1123	4	10		1872	0	8
	1124	1	1		1873	0	3
	1125	0	13		1874	0	4
	2614/1126	3	8		1875	0	8
	2615/1126	5	8		1876	0	1
	2616/1126	0	14		1877	0	7
	1127	4	7		1878	0	6
	1128	1	0		1879	0	6
	1129	1	1		1880	0	6

1	2	3	4	1	2	3	4
	1881	0	6		1913	0	1
	1882	0	4		1914	0	3
	1883	0	2		1915	0	1
	1884	0	5		1916	0	3
	1885	0	6		1917	0	14
	1886	0	5		1918	0	12
	1887	0	6		1919	1	7
	1888	0	1		1920	0	9
	1889	0	1		1921	0	1
	1890	0	1		1025	0	19
	1891	2	10		1927	0	4
	1892	0	2		1960/1	0	3
	1893	0	3		2675/1960	0	5
	1894	0	3		2676/1960	0	3
	1895	0	3		1961	1	18
	1896	1	17		1962	0	10
	1897	1	1		1962/1	0	14
	1898	1	5		1963	5	5
	1899	1	8		1964	2	15
	1900	3	1		1965	2	4
	1901	3	7		2677/1966	0	5
	1902	2	7		2678/1966	2	6
	1903	2	10		1967	0	10
	1904	1	4		1968	1	3
	1905	0	2				
	1906	0	2		किता 194	318	19
	1907	0	2				
	1908	0	2		कुल जोड़ किता 215	342	3
	1909	0	1				
	1910	0	3				
	1911	0	3				
	1912	0	1				

आज्ञानुसार,
अंतर दिह,
मन्त्रि ।